

FIRST REGULAR SESSION
SENATE COMMITTEE SUBSTITUTE FOR
HOUSE COMMITTEE SUBSTITUTE FOR
HOUSE BILL NO. 830
98TH GENERAL ASSEMBLY

Reported from the Committee on Agriculture, Good Production and Outdoor Resources, May 4, 2015, with recommendation that the Senate Committee Substitute do pass.

1840S.03C

ADRIANE D. CROUSE, Secretary.

AN ACT

To repeal section 195.010 as enacted by senate bill no. 491, ninety-seventh general assembly, second regular session, section 195.010 as enacted by house bill no. 641, ninety-sixth general assembly, first regular session, section 195.017 as enacted by senate bill no. 491, ninety-seventh general assembly, second regular session, and section 195.017 as enacted by house bill no. 641, ninety-sixth general assembly, first regular session, and to enact in lieu thereof seven new sections relating to industrial hemp, with penalty provisions.

Be it enacted by the General Assembly of the State of Missouri, as follows:

Section A. Section 195.010 as enacted by senate bill no. 491, ninety-
2 seventh general assembly, second regular session, section 195.010 as enacted by
3 house bill no. 641, ninety-sixth general assembly, first regular session, section
4 195.017 as enacted by senate bill no. 491, ninety-seventh general assembly,
5 second regular session, and section 195.017 as enacted by house bill no. 641,
6 ninety-sixth general assembly, first regular session, are repealed and seven new
7 sections enacted in lieu thereof, to be known as sections 195.010, 195.017,
8 195.203, 195.600, 195.603, 195.606, and 195.609, to read as follows:

195.010. The following words and phrases as used in this chapter and
2 chapter 579, unless the context otherwise requires, mean:

3 (1) "Addict", a person who habitually uses one or more controlled
4 substances to such an extent as to create a tolerance for such drugs, and who does
5 not have a medical need for such drugs, or who is so far addicted to the use of
6 such drugs as to have lost the power of self-control with reference to his or her

EXPLANATION—Matter enclosed in bold-faced brackets [thus] in this bill is not enacted and is intended to be omitted in the law.

7 addiction;

8 (2) "Administer", to apply a controlled substance, whether by injection,
9 inhalation, ingestion, or any other means, directly to the body of a patient or
10 research subject by:

11 (a) A practitioner (or, in his or her presence, by his or her authorized
12 agent); or

13 (b) The patient or research subject at the direction and in the presence of
14 the practitioner;

15 (3) "Agent", an authorized person who acts on behalf of or at the direction
16 of a manufacturer, distributor, or dispenser. The term does not include a common
17 or contract carrier, public warehouseman, or employee of the carrier or
18 warehouseman while acting in the usual and lawful course of the carrier's or
19 warehouseman's business;

20 (4) "Attorney for the state", any prosecuting attorney, circuit attorney, or
21 attorney general authorized to investigate, commence and prosecute an action
22 under this chapter;

23 (5) "Controlled substance", a drug, substance, or immediate precursor in
24 Schedules I through V listed in this chapter;

25 (6) "Controlled substance analogue", a substance the chemical structure
26 of which is substantially similar to the chemical structure of a controlled
27 substance in Schedule I or II and:

28 (a) Which has a stimulant, depressant, or hallucinogenic effect on the
29 central nervous system substantially similar to the stimulant, depressant, or
30 hallucinogenic effect on the central nervous system of a controlled substance
31 included in Schedule I or II; or

32 (b) With respect to a particular individual, which that individual
33 represents or intends to have a stimulant, depressant, or hallucinogenic effect on
34 the central nervous system substantially similar to the stimulant, depressant, or
35 hallucinogenic effect on the central nervous system of a controlled substance
36 included in Schedule I or II. The term does not include a controlled substance;
37 any substance for which there is an approved new drug application; any
38 substance for which an exemption is in effect for investigational use, for a
39 particular person, under Section 505 of the federal Food, Drug and Cosmetic Act
40 (21 U.S.C. Section 355) to the extent conduct with respect to the substance is
41 pursuant to the exemption; or any substance to the extent not intended for
42 human consumption before such an exemption takes effect with respect to the

43 substance;

44 (7) "Counterfeit substance", a controlled substance which, or the container
45 or labeling of which, without authorization, bears the trademark, trade name, or
46 other identifying mark, imprint, number or device, or any likeness thereof, of a
47 manufacturer, distributor, or dispenser other than the person who in fact
48 manufactured, distributed, or dispensed the substance;

49 (8) "Deliver" or "delivery", the actual, constructive, or attempted transfer
50 from one person to another of drug paraphernalia or of a controlled substance, or
51 an imitation controlled substance, whether or not there is an agency relationship,
52 and includes a sale;

53 (9) "Dentist", a person authorized by law to practice dentistry in this
54 state;

55 (10) "Depressant or stimulant substance":

56 (a) A drug containing any quantity of barbituric acid or any of the salts
57 of barbituric acid or any derivative of barbituric acid which has been designated
58 by the United States Secretary of Health and Human Services as habit forming
59 under 21 U.S.C. Section 352(d);

60 (b) A drug containing any quantity of:

61 a. Amphetamine or any of its isomers;

62 b. Any salt of amphetamine or any salt of an isomer of amphetamine; or

63 c. Any substance the United States Attorney General, after investigation,
64 has found to be, and by regulation designated as, habit forming because of its
65 stimulant effect on the central nervous system;

66 (c) Lysergic acid diethylamide; or

67 (d) Any drug containing any quantity of a substance that the United
68 States Attorney General, after investigation, has found to have, and by regulation
69 designated as having, a potential for abuse because of its depressant or stimulant
70 effect on the central nervous system or its hallucinogenic effect;

71 (11) "Dispense", to deliver a narcotic or controlled dangerous drug to an
72 ultimate user or research subject by or pursuant to the lawful order of a
73 practitioner including the prescribing, administering, packaging, labeling, or
74 compounding necessary to prepare the substance for such delivery. "Dispenser"
75 means a practitioner who dispenses;

76 (12) "Distribute", to deliver other than by administering or dispensing a
77 controlled substance;

78 (13) "Distributor", a person who distributes;

79 (14) "Drug":

80 (a) Substances recognized as drugs in the official United States
81 Pharmacopoeia, Official Homeopathic Pharmacopoeia of the United States, or
82 Official National Formulary, or any supplement to any of them;

83 (b) Substances intended for use in the diagnosis, cure, mitigation,
84 treatment or prevention of disease in humans or animals;

85 (c) Substances, other than food, intended to affect the structure or any
86 function of the body of humans or animals; and

87 (d) Substances intended for use as a component of any article specified in
88 this subdivision. It does not include devices or their components, parts or
89 accessories;

90 (15) "Drug-dependent person", a person who is using a controlled
91 substance and who is in a state of psychic or physical dependence, or both, arising
92 from the use of such substance on a continuous basis. Drug dependence is
93 characterized by behavioral and other responses which include a strong
94 compulsion to take the substance on a continuous basis in order to experience its
95 psychic effects or to avoid the discomfort caused by its absence;

96 (16) "Drug enforcement agency", the Drug Enforcement Administration in
97 the United States Department of Justice, or its successor agency;

98 (17) "Drug paraphernalia", all equipment, products, substances and
99 materials of any kind which are used, intended for use, or designed for use, in
100 planting, propagating, cultivating, growing, harvesting, manufacturing,
101 compounding, converting, producing, processing, preparing, storing, containing,
102 concealing, injecting, ingesting, inhaling, or otherwise introducing into the human
103 body a controlled substance or an imitation controlled substance in violation of
104 this chapter or chapter 579. It includes, but is not limited to:

105 (a) Kits used, intended for use, or designed for use in planting,
106 propagating, cultivating, growing or harvesting of any species of plant which is
107 a controlled substance or from which a controlled substance can be derived;

108 (b) Kits used, intended for use, or designed for use in manufacturing,
109 compounding, converting, producing, processing, or preparing controlled
110 substances or imitation controlled substances;

111 (c) Isomerization devices used, intended for use, or designed for use in
112 increasing the potency of any species of plant which is a controlled substance or
113 an imitation controlled substance;

114 (d) Testing equipment used, intended for use, or designed for use in

115 identifying, or in analyzing the strength, effectiveness or purity of controlled
116 substances or imitation controlled substances;

117 (e) Scales and balances used, intended for use, or designed for use in
118 weighing or measuring controlled substances or imitation controlled substances;

119 (f) Dilutents and adulterants, such as quinine hydrochloride, mannitol,
120 mannite, dextrose and lactose, used, intended for use, or designed for use in
121 cutting controlled substances or imitation controlled substances;

122 (g) Separation gins and sifters used, intended for use, or designed for use
123 in removing twigs and seeds from, or in otherwise cleaning or refining,
124 marijuana;

125 (h) Blenders, bowls, containers, spoons and mixing devices used, intended
126 for use, or designed for use in compounding controlled substances or imitation
127 controlled substances;

128 (i) Capsules, balloons, envelopes and other containers used, intended for
129 use, or designed for use in packaging small quantities of controlled substances or
130 imitation controlled substances;

131 (j) Containers and other objects used, intended for use, or designed for use
132 in storing or concealing controlled substances or imitation controlled substances;

133 (k) Hypodermic syringes, needles and other objects used, intended for use,
134 or designed for use in parenterally injecting controlled substances or imitation
135 controlled substances into the human body;

136 (l) Objects used, intended for use, or designed for use in ingesting,
137 inhaling, or otherwise introducing marijuana, cocaine, hashish, or hashish oil into
138 the human body, such as:

139 a. Metal, wooden, acrylic, glass, stone, plastic, or ceramic pipes with or
140 without screens, permanent screens, hashish heads, or punctured metal bowls;

141 b. Water pipes;

142 c. Carburetion tubes and devices;

143 d. Smoking and carburetion masks;

144 e. Roach clips meaning objects used to hold burning material, such as a
145 marijuana cigarette, that has become too small or too short to be held in the
146 hand;

147 f. Miniature cocaine spoons and cocaine vials;

148 g. Chamber pipes;

149 h. Carburetor pipes;

150 i. Electric pipes;

- 151 j. Air-driven pipes;
152 k. Chillums;
153 l. Bongs;
154 m. Ice pipes or chillers;
155 (m) Substances used, intended for use, or designed for use in the
156 manufacture of a controlled substance;
157 In determining whether an object, product, substance or material is drug
158 paraphernalia, a court or other authority should consider, in addition to all other
159 logically relevant factors, the following:
160 a. Statements by an owner or by anyone in control of the object concerning
161 its use;
162 b. Prior convictions, if any, of an owner, or of anyone in control of the
163 object, under any state or federal law relating to any controlled substance or
164 imitation controlled substance;
165 c. The proximity of the object, in time and space, to a direct violation of
166 this chapter or chapter 579;
167 d. The proximity of the object to controlled substances or imitation
168 controlled substances;
169 e. The existence of any residue of controlled substances or imitation
170 controlled substances on the object;
171 f. Direct or circumstantial evidence of the intent of an owner, or of anyone
172 in control of the object, to deliver it to persons who he or she knows, or should
173 reasonably know, intend to use the object to facilitate a violation of this chapter
174 or chapter 579; the innocence of an owner, or of anyone in control of the object,
175 as to direct violation of this chapter or chapter 579 shall not prevent a finding
176 that the object is intended for use, or designed for use as drug paraphernalia;
177 g. Instructions, oral or written, provided with the object concerning its
178 use;
179 h. Descriptive materials accompanying the object which explain or depict
180 its use;
181 i. National or local advertising concerning its use;
182 j. The manner in which the object is displayed for sale;
183 k. Whether the owner, or anyone in control of the object, is a legitimate
184 supplier of like or related items to the community, such as a licensed distributor
185 or dealer of tobacco products;
186 l. Direct or circumstantial evidence of the ratio of sales of the object to the

187 total sales of the business enterprise;

188 m. The existence and scope of legitimate uses for the object in the
189 community;

190 n. Expert testimony concerning its use;

191 o. The quantity, form or packaging of the product, substance or material
192 in relation to the quantity, form or packaging associated with any legitimate use
193 for the product, substance or material;

194 (18) "Federal narcotic laws", the laws of the United States relating to
195 controlled substances;

196 (19) "Hospital", a place devoted primarily to the maintenance and
197 operation of facilities for the diagnosis, treatment or care, for not less than
198 twenty-four hours in any week, of three or more nonrelated individuals suffering
199 from illness, disease, injury, deformity or other abnormal physical conditions; or
200 a place devoted primarily to provide, for not less than twenty-four consecutive
201 hours in any week, medical or nursing care for three or more nonrelated
202 individuals. The term "hospital" does not include convalescent, nursing, shelter
203 or boarding homes as defined in chapter 198;

204 (20) "Immediate precursor", a substance which:

205 (a) The state department of health and senior services has found to be and
206 by rule designates as being the principal compound commonly used or produced
207 primarily for use in the manufacture of a controlled substance;

208 (b) Is an immediate chemical intermediary used or likely to be used in the
209 manufacture of a controlled substance; and

210 (c) The control of which is necessary to prevent, curtail or limit the
211 manufacture of the controlled substance;

212 (21) "Imitation controlled substance", a substance that is not a controlled
213 substance, which by dosage unit appearance (including color, shape, size and
214 markings), or by representations made, would lead a reasonable person to believe
215 that the substance is a controlled substance. In determining whether the
216 substance is an imitation controlled substance the court or authority concerned
217 should consider, in addition to all other logically relevant factors, the following:

218 (a) Whether the substance was approved by the federal Food and Drug
219 Administration for over-the-counter (nonprescription or nonlegend) sales and was
220 sold in the federal Food and Drug Administration approved package, with the
221 federal Food and Drug Administration approved labeling information;

222 (b) Statements made by an owner or by anyone else in control of the

223 substance concerning the nature of the substance, or its use or effect;

224 (c) Whether the substance is packaged in a manner normally used for
225 illicit controlled substances;

226 (d) Prior convictions, if any, of an owner, or anyone in control of the
227 object, under state or federal law related to controlled substances or fraud;

228 (e) The proximity of the substances to controlled substances;

229 (f) Whether the consideration tendered in exchange for the noncontrolled
230 substance substantially exceeds the reasonable value of the substance considering
231 the actual chemical composition of the substance and, where applicable, the price
232 at which over-the-counter substances of like chemical composition sell. An
233 imitation controlled substance does not include a placebo or registered
234 investigational drug either of which was manufactured, distributed, possessed or
235 delivered in the ordinary course of professional practice or research;

236 (22) **"Industrial hemp":**

237 (a) **All nonseed parts and varieties of the cannabis sativa plant,**
238 **growing or not, that contain a cropwide average tetrahydrocannabinol**
239 **(THC) concentration that does not exceed three-tenths of one percent**
240 **on a dry weight basis; or**

241 (b) **Any cannabis sativa seed that is part of a growing crop,**
242 **retained by a grower for future planting, or used for processing into or**
243 **use as agricultural hemp seed.**

244 **Industrial hemp does not include industrial hemp commodities and**
245 **products;**

246 (23) **"Laboratory",** a laboratory approved by the department of health and
247 senior services as proper to be entrusted with the custody of controlled substances
248 but does not include a pharmacist who compounds controlled substances to be
249 sold or dispensed on prescriptions;

250 [(23)] (24) **"Manufacture",** the production, preparation, propagation,
251 compounding or processing of drug paraphernalia or of a controlled substance, or
252 an imitation controlled substance, either directly or by extraction from substances
253 of natural origin, or independently by means of chemical synthesis, or by a
254 combination of extraction and chemical synthesis, and includes any packaging or
255 repackaging of the substance or labeling or relabeling of its container. This term
256 does not include the preparation or compounding of a controlled substance or an
257 imitation controlled substance or the preparation, compounding, packaging or
258 labeling of a narcotic or dangerous drug:

259 (a) By a practitioner as an incident to his or her administering or
260 dispensing of a controlled substance or an imitation controlled substance in the
261 course of his or her professional practice, or

262 (b) By a practitioner or his or her authorized agent under his or her
263 supervision, for the purpose of, or as an incident to, research, teaching or
264 chemical analysis and not for sale;

265 [(24)] **(25)** "Marijuana", all parts of the plant genus Cannabis in any
266 species or form thereof, including, but not limited to Cannabis Sativa L., **except**
267 **industrial hemp as defined in this section**, Cannabis Indica, Cannabis
268 Americana, Cannabis Ruderalis, and Cannabis Gigantea, whether growing or not,
269 the seeds thereof, the resin extracted from any part of the plant; and every
270 compound, manufacture, salt, derivative, mixture, or preparation of the plant, its
271 seeds or resin. It does not include the mature stalks of the plant, fiber produced
272 from the stalks, oil or cake made from the seeds of the plant, any other
273 compound, manufacture, salt, derivative, mixture or preparation of the mature
274 stalks (except the resin extracted therefrom), fiber, oil or cake, or the sterilized
275 seed of the plant which is incapable of germination;

276 [(25)] **(26)** "Methamphetamine precursor drug", any drug containing
277 ephedrine, pseudoephedrine, phenylpropanolamine, or any of their salts, optical
278 isomers, or salts of optical isomers;

279 [(26)] **(27)** "Narcotic drug", any of the following, whether produced
280 directly or indirectly by extraction from substances of vegetable origin, or
281 independently by means of chemical synthesis, or by a combination of extraction
282 and chemical analysis:

283 (a) Opium, opiate, and any derivative, of opium or opiate, including their
284 isomers, esters, ethers, salts, and salts of isomers, esters, and ethers, whenever
285 the existence of the isomers, esters, ethers, and salts is possible within the
286 specific chemical designation. The term does not include the isoquinoline
287 alkaloids of opium;

288 (b) Coca leaves, but not including extracts of coca leaves from which
289 cocaine, ecgonine, and derivatives of ecgonine or their salts have been removed;

290 (c) Cocaine or any salt, isomer, or salt of isomer thereof;

291 (d) Ecgonine, or any derivative, salt, isomer, or salt of isomer thereof;

292 (e) Any compound, mixture, or preparation containing any quantity of any
293 substance referred to in paragraphs (a) to (d) of this subdivision;

294 [(27)] **(28)** "Official written order", an order written on a form provided

295 for that purpose by the United States Commissioner of Narcotics, under any laws
296 of the United States making provision therefor, if such order forms are authorized
297 and required by federal law, and if no such order form is provided, then on an
298 official form provided for that purpose by the department of health and senior
299 services;

300 [(28)] **(29)** "Opiate", any substance having an addiction-forming or
301 addiction-sustaining liability similar to morphine or being capable of conversion
302 into a drug having addiction-forming or addiction-sustaining liability. The term
303 includes its racemic and levorotatory forms. It does not include, unless
304 specifically controlled under section 195.017, the dextrorotatory isomer of
305 3-methoxy-n-methyl-morphinan and its salts (dextromethorphan);

306 [(29)] **(30)** "Opium poppy", the plant of the species *Papaver somniferum*
307 L., except its seeds;

308 [(30)] **(31)** "Over-the-counter sale", a retail sale licensed pursuant to
309 chapter 144 of a drug other than a controlled substance;

310 [(31)] **(32)** "Person", an individual, corporation, government or
311 governmental subdivision or agency, business trust, estate, trust, partnership,
312 joint venture, association, or any other legal or commercial entity;

313 [(32)] **(33)** "Pharmacist", a licensed pharmacist as defined by the laws of
314 this state, and where the context so requires, the owner of a store or other place
315 of business where controlled substances are compounded or dispensed by a
316 licensed pharmacist; but nothing in this chapter shall be construed as conferring
317 on a person who is not registered nor licensed as a pharmacist any authority,
318 right or privilege that is not granted to him by the pharmacy laws of this state;

319 [(33)] **(34)** "Poppy straw", all parts, except the seeds, of the opium poppy,
320 after mowing;

321 [(34)] **(35)** "Possessed" or "possessing a controlled substance", a person,
322 with the knowledge of the presence and nature of a substance, has actual or
323 constructive possession of the substance. A person has actual possession if he has
324 the substance on his or her person or within easy reach and convenient control.
325 A person who, although not in actual possession, has the power and the intention
326 at a given time to exercise dominion or control over the substance either directly
327 or through another person or persons is in constructive possession of
328 it. Possession may also be sole or joint. If one person alone has possession of a
329 substance possession is sole. If two or more persons share possession of a
330 substance, possession is joint;

331 [(35)] **(36)** "Practitioner", a physician, dentist, optometrist, podiatrist,
332 veterinarian, scientific investigator, pharmacy, hospital or other person licensed,
333 registered or otherwise permitted by this state to distribute, dispense, conduct
334 research with respect to or administer or to use in teaching or chemical analysis,
335 a controlled substance in the course of professional practice or research in this
336 state, or a pharmacy, hospital or other institution licensed, registered, or
337 otherwise permitted to distribute, dispense, conduct research with respect to or
338 administer a controlled substance in the course of professional practice or
339 research;

340 [(36)] **(37)** "Production", includes the manufacture, planting, cultivation,
341 growing, or harvesting of drug paraphernalia or of a controlled substance or an
342 imitation controlled substance;

343 [(37)] **(38)** "Registry number", the number assigned to each person
344 registered under the federal controlled substances laws;

345 [(38)] **(39)** "Sale", includes barter, exchange, or gift, or offer therefor, and
346 each such transaction made by any person, whether as principal, proprietor,
347 agent, servant or employee;

348 [(39)] **(40)** "State" when applied to a part of the United States, includes
349 any state, district, commonwealth, territory, insular possession thereof, and any
350 area subject to the legal authority of the United States of America;

351 [(40)] **(41)** "Synthetic cannabinoid", includes unless specifically excepted
352 or unless listed in another schedule, any natural or synthetic material, compound,
353 mixture, or preparation that contains any quantity of a substance that is a
354 cannabinoid receptor agonist, including but not limited to any substance listed
355 in paragraph (ll) of subdivision (4) of subsection 2 of section 195.017 and any
356 analogues; homologues; isomers, whether optical, positional, or geometric; esters;
357 ethers; salts; and salts of isomers, esters, and ethers, whenever the existence of
358 the isomers, esters, ethers, or salts is possible within the specific chemical
359 designation, however, it shall not include any approved pharmaceutical
360 authorized by the United States Food and Drug Administration;

361 [(41)] **(42)** "Ultimate user", a person who lawfully possesses a controlled
362 substance or an imitation controlled substance for his or her own use or for the
363 use of a member of his or her household or immediate family, regardless of
364 whether they live in the same household, or for administering to an animal owned
365 by him or by a member of his or her household. For purposes of this section, the
366 phrase "immediate family" means a husband, wife, parent, child, sibling,

367 stepparent, stepchild, stepbrother, stepsister, grandparent, or grandchild;

368 [(42)] **(43)** "Wholesaler", a person who supplies drug paraphernalia or
369 controlled substances or imitation controlled substances that he himself has not
370 produced or prepared, on official written orders, but not on prescriptions.

195.010. The following words and phrases as used in sections 195.005 to
2 195.425, unless the context otherwise requires, mean:

3 (1) "Addict", a person who habitually uses one or more controlled
4 substances to such an extent as to create a tolerance for such drugs, and who does
5 not have a medical need for such drugs, or who is so far addicted to the use of
6 such drugs as to have lost the power of self-control with reference to his
7 addiction;

8 (2) "Administer", to apply a controlled substance, whether by injection,
9 inhalation, ingestion, or any other means, directly to the body of a patient or
10 research subject by:

11 (a) A practitioner (or, in his presence, by his authorized agent); or

12 (b) The patient or research subject at the direction and in the presence of
13 the practitioner;

14 (3) "Agent", an authorized person who acts on behalf of or at the direction
15 of a manufacturer, distributor, or dispenser. The term does not include a common
16 or contract carrier, public warehouseman, or employee of the carrier or
17 warehouseman while acting in the usual and lawful course of the carrier's or
18 warehouseman's business;

19 (4) "Attorney for the state", any prosecuting attorney, circuit attorney, or
20 attorney general authorized to investigate, commence and prosecute an action
21 under sections 195.005 to 195.425;

22 (5) "Controlled substance", a drug, substance, or immediate precursor in
23 Schedules I through V listed in sections 195.005 to 195.425;

24 (6) "Controlled substance analogue", a substance the chemical structure
25 of which is substantially similar to the chemical structure of a controlled
26 substance in Schedule I or II and:

27 (a) Which has a stimulant, depressant, or hallucinogenic effect on the
28 central nervous system substantially similar to the stimulant, depressant, or
29 hallucinogenic effect on the central nervous system of a controlled substance
30 included in Schedule I or II; or

31 (b) With respect to a particular individual, which that individual
32 represents or intends to have a stimulant, depressant, or hallucinogenic effect on

33 the central nervous system substantially similar to the stimulant, depressant, or
34 hallucinogenic effect on the central nervous system of a controlled substance
35 included in Schedule I or II. The term does not include a controlled substance;
36 any substance for which there is an approved new drug application; any
37 substance for which an exemption is in effect for investigational use, for a
38 particular person, under Section 505 of the federal Food, Drug and Cosmetic Act
39 (21 U.S.C. 355) to the extent conduct with respect to the substance is pursuant
40 to the exemption; or any substance to the extent not intended for human
41 consumption before such an exemption takes effect with respect to the substance;

42 (7) "Counterfeit substance", a controlled substance which, or the container
43 or labeling of which, without authorization, bears the trademark, trade name, or
44 other identifying mark, imprint, number or device, or any likeness thereof, of a
45 manufacturer, distributor, or dispenser other than the person who in fact
46 manufactured, distributed, or dispensed the substance;

47 (8) "Deliver" or "delivery", the actual, constructive, or attempted transfer
48 from one person to another of drug paraphernalia or of a controlled substance, or
49 an imitation controlled substance, whether or not there is an agency relationship,
50 and includes a sale;

51 (9) "Dentist", a person authorized by law to practice dentistry in this
52 state;

53 (10) "Depressant or stimulant substance":

54 (a) A drug containing any quantity of barbituric acid or any of the salts
55 of barbituric acid or any derivative of barbituric acid which has been designated
56 by the United States Secretary of Health and Human Services as habit forming
57 under 21 U.S.C. 352(d);

58 (b) A drug containing any quantity of:

59 a. Amphetamine or any of its isomers;

60 b. Any salt of amphetamine or any salt of an isomer of amphetamine; or

61 c. Any substance the United States Attorney General, after investigation,
62 has found to be, and by regulation designated as, habit forming because of its
63 stimulant effect on the central nervous system;

64 (c) Lysergic acid diethylamide; or

65 (d) Any drug containing any quantity of a substance that the United
66 States Attorney General, after investigation, has found to have, and by regulation
67 designated as having, a potential for abuse because of its depressant or stimulant
68 effect on the central nervous system or its hallucinogenic effect;

69 (11) "Dispense", to deliver a narcotic or controlled dangerous drug to an
70 ultimate user or research subject by or pursuant to the lawful order of a
71 practitioner including the prescribing, administering, packaging, labeling, or
72 compounding necessary to prepare the substance for such delivery. "Dispenser"
73 means a practitioner who dispenses;

74 (12) "Distribute", to deliver other than by administering or dispensing a
75 controlled substance;

76 (13) "Distributor", a person who distributes;

77 (14) "Drug":
78

78 (a) Substances recognized as drugs in the official United States
79 Pharmacopoeia, Official Homeopathic Pharmacopoeia of the United States, or
80 Official National Formulary, or any supplement to any of them;

81 (b) Substances intended for use in the diagnosis, cure, mitigation,
82 treatment or prevention of disease in humans or animals;

83 (c) Substances, other than food, intended to affect the structure or any
84 function of the body of humans or animals; and

85 (d) Substances intended for use as a component of any article specified in
86 this subdivision. It does not include devices or their components, parts or
87 accessories;

88 (15) "Drug-dependent person", a person who is using a controlled
89 substance and who is in a state of psychic or physical dependence, or both, arising
90 from the use of such substance on a continuous basis. Drug dependence is
91 characterized by behavioral and other responses which include a strong
92 compulsion to take the substance on a continuous basis in order to experience its
93 psychic effects or to avoid the discomfort caused by its absence;

94 (16) "Drug enforcement agency", the Drug Enforcement Administration in
95 the United States Department of Justice, or its successor agency;

96 (17) "Drug paraphernalia", all equipment, products, substances and
97 materials of any kind which are used, intended for use, or designed for use, in
98 planting, propagating, cultivating, growing, harvesting, manufacturing,
99 compounding, converting, producing, processing, preparing, storing, containing,
100 concealing, injecting, ingesting, inhaling, or otherwise introducing into the human
101 body a controlled substance or an imitation controlled substance in violation of
102 sections 195.005 to 195.425. It includes, but is not limited to:

103 (a) Kits used, intended for use, or designed for use in planting,
104 propagating, cultivating, growing or harvesting of any species of plant which is

- 105 a controlled substance or from which a controlled substance can be derived;
- 106 (b) Kits used, intended for use, or designed for use in manufacturing,
- 107 compounding, converting, producing, processing, or preparing controlled
- 108 substances or imitation controlled substances;
- 109 (c) Isomerization devices used, intended for use, or designed for use in
- 110 increasing the potency of any species of plant which is a controlled substance or
- 111 an imitation controlled substance;
- 112 (d) Testing equipment used, intended for use, or designed for use in
- 113 identifying, or in analyzing the strength, effectiveness or purity of controlled
- 114 substances or imitation controlled substances;
- 115 (e) Scales and balances used, intended for use, or designed for use in
- 116 weighing or measuring controlled substances or imitation controlled substances;
- 117 (f) Dilutents and adulterants, such as quinine hydrochloride, mannitol,
- 118 mannite, dextrose and lactose, used, intended for use, or designed for use in
- 119 cutting controlled substances or imitation controlled substances;
- 120 (g) Separation gins and sifters used, intended for use, or designed for use
- 121 in removing twigs and seeds from, or in otherwise cleaning or refining,
- 122 marijuana;
- 123 (h) Blenders, bowls, containers, spoons and mixing devices used, intended
- 124 for use, or designed for use in compounding controlled substances or imitation
- 125 controlled substances;
- 126 (i) Capsules, balloons, envelopes and other containers used, intended for
- 127 use, or designed for use in packaging small quantities of controlled substances or
- 128 imitation controlled substances;
- 129 (j) Containers and other objects used, intended for use, or designed for use
- 130 in storing or concealing controlled substances or imitation controlled substances;
- 131 (k) Hypodermic syringes, needles and other objects used, intended for use,
- 132 or designed for use in parenterally injecting controlled substances or imitation
- 133 controlled substances into the human body;
- 134 (l) Objects used, intended for use, or designed for use in ingesting,
- 135 inhaling, or otherwise introducing marijuana, cocaine, hashish, or hashish oil into
- 136 the human body, such as:
- 137 a. Metal, wooden, acrylic, glass, stone, plastic, or ceramic pipes with or
- 138 without screens, permanent screens, hashish heads, or punctured metal bowls;
- 139 b. Water pipes;
- 140 c. Carburetion tubes and devices;

- 141 d. Smoking and carburetion masks;
- 142 e. Roach clips meaning objects used to hold burning material, such as a
143 marijuana cigarette, that has become too small or too short to be held in the
144 hand;
- 145 f. Miniature cocaine spoons and cocaine vials;
- 146 g. Chamber pipes;
- 147 h. Carburetor pipes;
- 148 i. Electric pipes;
- 149 j. Air-driven pipes;
- 150 k. Chillums;
- 151 l. Bongs;
- 152 m. Ice pipes or chillers;
- 153 (m) Substances used, intended for use, or designed for use in the
154 manufacture of a controlled substance; In determining whether an object, product,
155 substance or material is drug paraphernalia, a court or other authority should
156 consider, in addition to all other logically relevant factors, the following:
- 157 a. Statements by an owner or by anyone in control of the object concerning
158 its use;
- 159 b. Prior convictions, if any, of an owner, or of anyone in control of the
160 object, under any state or federal law relating to any controlled substance or
161 imitation controlled substance;
- 162 c. The proximity of the object, in time and space, to a direct violation of
163 sections 195.005 to 195.425;
- 164 d. The proximity of the object to controlled substances or imitation
165 controlled substances;
- 166 e. The existence of any residue of controlled substances or imitation
167 controlled substances on the object;
- 168 f. Direct or circumstantial evidence of the intent of an owner, or of anyone
169 in control of the object, to deliver it to persons who he knows, or should
170 reasonably know, intend to use the object to facilitate a violation of sections
171 195.005 to 195.425; the innocence of an owner, or of anyone in control of the
172 object, as to direct violation of sections 195.005 to 195.425 shall not prevent a
173 finding that the object is intended for use, or designed for use as drug
174 paraphernalia;
- 175 g. Instructions, oral or written, provided with the object concerning its
176 use;

- 177 h. Descriptive materials accompanying the object which explain or depict
178 its use;
- 179 i. National or local advertising concerning its use;
- 180 j. The manner in which the object is displayed for sale;
- 181 k. Whether the owner, or anyone in control of the object, is a legitimate
182 supplier of like or related items to the community, such as a licensed distributor
183 or dealer of tobacco products;
- 184 l. Direct or circumstantial evidence of the ratio of sales of the object to the
185 total sales of the business enterprise;
- 186 m. The existence and scope of legitimate uses for the object in the
187 community;
- 188 n. Expert testimony concerning its use;
- 189 o. The quantity, form or packaging of the product, substance or material
190 in relation to the quantity, form or packaging associated with any legitimate use
191 for the product, substance or material;
- 192 (18) "Federal narcotic laws", the laws of the United States relating to
193 controlled substances;
- 194 (19) "Hospital", a place devoted primarily to the maintenance and
195 operation of facilities for the diagnosis, treatment or care, for not less than
196 twenty-four hours in any week, of three or more nonrelated individuals suffering
197 from illness, disease, injury, deformity or other abnormal physical conditions; or
198 a place devoted primarily to provide, for not less than twenty-four consecutive
199 hours in any week, medical or nursing care for three or more nonrelated
200 individuals. The term "hospital" does not include convalescent, nursing, shelter
201 or boarding homes as defined in chapter 198;
- 202 (20) "Immediate precursor", a substance which:
- 203 (a) The state department of health and senior services has found to be and
204 by rule designates as being the principal compound commonly used or produced
205 primarily for use in the manufacture of a controlled substance;
- 206 (b) Is an immediate chemical intermediary used or likely to be used in the
207 manufacture of a controlled substance; and
- 208 (c) The control of which is necessary to prevent, curtail or limit the
209 manufacture of the controlled substance;
- 210 (21) "Imitation controlled substance", a substance that is not a controlled
211 substance, which by dosage unit appearance (including color, shape, size and
212 markings), or by representations made, would lead a reasonable person to believe

213 that the substance is a controlled substance. In determining whether the
214 substance is an imitation controlled substance the court or authority concerned
215 should consider, in addition to all other logically relevant factors, the following:

216 (a) Whether the substance was approved by the federal Food and Drug
217 Administration for over-the-counter (nonprescription or nonlegend) sales and was
218 sold in the federal Food and Drug Administration approved package, with the
219 federal Food and Drug Administration approved labeling information;

220 (b) Statements made by an owner or by anyone else in control of the
221 substance concerning the nature of the substance, or its use or effect;

222 (c) Whether the substance is packaged in a manner normally used for
223 illicit controlled substances;

224 (d) Prior convictions, if any, of an owner, or anyone in control of the
225 object, under state or federal law related to controlled substances or fraud;

226 (e) The proximity of the substances to controlled substances;

227 (f) Whether the consideration tendered in exchange for the noncontrolled
228 substance substantially exceeds the reasonable value of the substance considering
229 the actual chemical composition of the substance and, where applicable, the price
230 at which over-the-counter substances of like chemical composition sell. An
231 imitation controlled substance does not include a placebo or registered
232 investigational drug either of which was manufactured, distributed, possessed or
233 delivered in the ordinary course of professional practice or research;

234 (22) **"Industrial hemp":**

235 (a) **All nonseed parts and varieties of the cannabis sativa plant,**
236 **growing or not, that contain a cropwide average tetrahydrocannabinol**
237 **(THC) concentration that does not exceed three-tenths of one percent**
238 **on a dry weight basis; or**

239 (b) **Any cannabis sativa seed that is part of a growing crop,**
240 **retained by a grower for future planting, or used for processing into or**
241 **use as agricultural hemp seed.**

242 **Industrial hemp does not include industrial hemp commodities and**
243 **products;**

244 (23) "Laboratory", a laboratory approved by the department of health and
245 senior services as proper to be entrusted with the custody of controlled substances
246 but does not include a pharmacist who compounds controlled substances to be
247 sold or dispensed on prescriptions;

248 [(23)] (24) "Manufacture", the production, preparation, propagation,

249 compounding or processing of drug paraphernalia or of a controlled substance, or
250 an imitation controlled substance, either directly or by extraction from substances
251 of natural origin, or independently by means of chemical synthesis, or by a
252 combination of extraction and chemical synthesis, and includes any packaging or
253 repackaging of the substance or labeling or relabeling of its container. This term
254 does not include the preparation or compounding of a controlled substance or an
255 imitation controlled substance or the preparation, compounding, packaging or
256 labeling of a narcotic or dangerous drug:

257 (a) By a practitioner as an incident to his administering or dispensing of
258 a controlled substance or an imitation controlled substance in the course of his
259 professional practice, or

260 (b) By a practitioner or his authorized agent under his supervision, for the
261 purpose of, or as an incident to, research, teaching or chemical analysis and not
262 for sale;

263 [(24)] **(25)** "Marijuana", all parts of the plant genus *Cannabis* in any
264 species or form thereof, including, but not limited to *Cannabis Sativa* L., **except**
265 **industrial hemp as defined in this section**, *Cannabis Indica*, *Cannabis*
266 *Americana*, *Cannabis Ruderalis*, and *Cannabis Gigantea*, whether growing or not,
267 the seeds thereof, the resin extracted from any part of the plant; and every
268 compound, manufacture, salt, derivative, mixture, or preparation of the plant, its
269 seeds or resin. It does not include the mature stalks of the plant, fiber produced
270 from the stalks, oil or cake made from the seeds of the plant, any other
271 compound, manufacture, salt, derivative, mixture or preparation of the mature
272 stalks (except the resin extracted therefrom), fiber, oil or cake, or the sterilized
273 seed of the plant which is incapable of germination;

274 [(25)] **(26)** "Methamphetamine precursor drug", any drug containing
275 ephedrine, pseudoephedrine, phenylpropanolamine, or any of their salts, optical
276 isomers, or salts of optical isomers;

277 [(26)] **(27)** "Narcotic drug", any of the following, whether produced
278 directly or indirectly by extraction from substances of vegetable origin, or
279 independently by means of chemical synthesis, or by a combination of extraction
280 and chemical analysis:

281 (a) Opium, opiate, and any derivative, of opium or opiate, including their
282 isomers, esters, ethers, salts, and salts of isomers, esters, and ethers, whenever
283 the existence of the isomers, esters, ethers, and salts is possible within the
284 specific chemical designation. The term does not include the isoquinoline

285 alkaloids of opium;

286 (b) Coca leaves, but not including extracts of coca leaves from which
287 cocaine, ecgonine, and derivatives of ecgonine or their salts have been removed;

288 (c) Cocaine or any salt, isomer, or salt of isomer thereof;

289 (d) Ecgonine, or any derivative, salt, isomer, or salt of isomer thereof;

290 (e) Any compound, mixture, or preparation containing any quantity of any
291 substance referred to in paragraphs (a) to (d) of this subdivision;

292 [(27)] **(28)** "Official written order", an order written on a form provided
293 for that purpose by the United States Commissioner of Narcotics, under any laws
294 of the United States making provision therefor, if such order forms are authorized
295 and required by federal law, and if no such order form is provided, then on an
296 official form provided for that purpose by the department of health and senior
297 services;

298 [(28)] **(29)** "Opiate", any substance having an addiction-forming or
299 addiction-sustaining liability similar to morphine or being capable of conversion
300 into a drug having addiction-forming or addiction-sustaining liability. The term
301 includes its racemic and levorotatory forms. It does not include, unless
302 specifically controlled under section 195.017, the dextrorotatory isomer of
303 3-methoxy-n-methyl-morphinan and its salts (dextromethorphan);

304 [(29)] **(30)** "Opium poppy", the plant of the species *Papaver somniferum*
305 L., except its seeds;

306 [(30)] **(31)** "Over-the-counter sale", a retail sale licensed pursuant to
307 chapter 144 of a drug other than a controlled substance;

308 [(31)] **(32)** "Person", an individual, corporation, government or
309 governmental subdivision or agency, business trust, estate, trust, partnership,
310 joint venture, association, or any other legal or commercial entity;

311 [(32)] **(33)** "Pharmacist", a licensed pharmacist as defined by the laws of
312 this state, and where the context so requires, the owner of a store or other place
313 of business where controlled substances are compounded or dispensed by a
314 licensed pharmacist; but nothing in sections 195.005 to 195.425 shall be construed
315 as conferring on a person who is not registered nor licensed as a pharmacist any
316 authority, right or privilege that is not granted to him by the pharmacy laws of
317 this state;

318 [(33)] **(34)** "Poppy straw", all parts, except the seeds, of the opium poppy,
319 after mowing;

320 [(34)] **(35)** "Possessed" or "possessing a controlled substance", a person,

321 with the knowledge of the presence and nature of a substance, has actual or
322 constructive possession of the substance. A person has actual possession if he has
323 the substance on his person or within easy reach and convenient control. A
324 person who, although not in actual possession, has the power and the intention
325 at a given time to exercise dominion or control over the substance either directly
326 or through another person or persons is in constructive possession of
327 it. Possession may also be sole or joint. If one person alone has possession of a
328 substance possession is sole. If two or more persons share possession of a
329 substance, possession is joint;

330 [(35)] **(36)** "Practitioner", a physician, dentist, optometrist, podiatrist,
331 veterinarian, scientific investigator, pharmacy, hospital or other person licensed,
332 registered or otherwise permitted by this state to distribute, dispense, conduct
333 research with respect to or administer or to use in teaching or chemical analysis,
334 a controlled substance in the course of professional practice or research in this
335 state, or a pharmacy, hospital or other institution licensed, registered, or
336 otherwise permitted to distribute, dispense, conduct research with respect to or
337 administer a controlled substance in the course of professional practice or
338 research;

339 [(36)] **(37)** "Production", includes the manufacture, planting, cultivation,
340 growing, or harvesting of drug paraphernalia or of a controlled substance or an
341 imitation controlled substance;

342 [(37)] **(38)** "Registry number", the number assigned to each person
343 registered under the federal controlled substances laws;

344 [(38)] **(39)** "Sale", includes barter, exchange, or gift, or offer therefor, and
345 each such transaction made by any person, whether as principal, proprietor,
346 agent, servant or employee;

347 [(39)] **(40)** "State" when applied to a part of the United States, includes
348 any state, district, commonwealth, territory, insular possession thereof, and any
349 area subject to the legal authority of the United States of America;

350 [(40)] **(41)** "Synthetic cannabinoid", includes unless specifically excepted
351 or unless listed in another schedule, any natural or synthetic material, compound,
352 mixture, or preparation that contains any quantity of a substance that is a
353 cannabinoid receptor agonist, including but not limited to any substance listed
354 in paragraph (ll) of subdivision (4) of subsection 2 of section 195.017 and any
355 analogues, homologues; isomers, whether optical, positional, or geometric; esters;
356 ethers; salts; and salts of isomers, esters, and ethers, whenever the existence of

357 the isomers, esters, ethers, or salts is possible within the specific chemical
358 designation, however, it shall not include any approved pharmaceutical
359 authorized by the United States Food and Drug Administration;

360 [(41)] **(42)** "Ultimate user", a person who lawfully possesses a controlled
361 substance or an imitation controlled substance for his own use or for the use of
362 a member of his household or for administering to an animal owned by him or by
363 a member of his household;

364 [(42)] **(43)** "Wholesaler", a person who supplies drug paraphernalia or
365 controlled substances or imitation controlled substances that he himself has not
366 produced or prepared, on official written orders, but not on prescriptions.

195.017. 1. The department of health and senior services shall place a
2 substance in Schedule I if it finds that the substance:

3 (1) Has high potential for abuse; and

4 (2) Has no accepted medical use in treatment in the United States or
5 lacks accepted safety for use in treatment under medical supervision.

6 2. Schedule I:

7 (1) The controlled substances listed in this subsection are included in
8 Schedule I;

9 (2) Any of the following opiates, including their isomers, esters, ethers,
10 salts, and salts of isomers, esters, and ethers, unless specifically excepted,
11 whenever the existence of these isomers, esters, ethers and salts is possible
12 within the specific chemical designation:

13 (a) Acetyl-alpha-methylfentanyl;

14 (b) Acetylmethadol;

15 (c) Allylprodine;

16 (d) Alphacetylmethadol;

17 (e) Alphameprodine;

18 (f) Alphamethadol;

19 (g) Alpha-methylfentanyl;

20 (h) Alpha-methylthiofentanyl;

21 (i) Benzethidine;

22 (j) Betacetylmethadol;

23 (k) Beta-hydroxyfentanyl;

24 (l) Beta-hydroxy-3-methylfentanyl;

25 (m) Betameprodine;

26 (n) Betamethadol;

- 27 (o) Betaprodine;
- 28 (p) Clonitazene;
- 29 (q) Dextromoramide;
- 30 (r) Diampromide;
- 31 (s) Diethylthiambutene;
- 32 (t) Difenoxin;
- 33 (u) Dimenoxadol;
- 34 (v) Dimepheptanol;
- 35 (w) Dimethylthiambutene;
- 36 (x) Dioxaphetyl butyrate;
- 37 (y) Dipipanone;
- 38 (z) Ethylmethylthiambutene;
- 39 (aa) Etonitazene;
- 40 (bb) Etoxidine;
- 41 (cc) Furethidine;
- 42 (dd) Hydroxypethidine;
- 43 (ee) Ketobemidone;
- 44 (ff) Levomoramide;
- 45 (gg) Levophenacymorphan;
- 46 (hh) 3-Methylfentanyl;
- 47 (ii) 3-Methylthiofentanyl;
- 48 (jj) Morpheridine;
- 49 (kk) MPPP;
- 50 (ll) Noracymethadol;
- 51 (mm) Norlevorphanol;
- 52 (nn) Normethadone;
- 53 (oo) Norpipanone;
- 54 (pp) Para-fluorofentanyl;
- 55 (qq) PEPAP;
- 56 (rr) Phenadoxone;
- 57 (ss) Phenampromide;
- 58 (tt) Phenomorphan;
- 59 (uu) Phenoperidine;
- 60 (vv) Piritramide;
- 61 (ww) Proheptazine;
- 62 (xx) Properidine;

- 63 (yy) Propiram;
- 64 (zz) Racemoramide;
- 65 (aaa) Thiofentanyl;
- 66 (bbb) Tilidine;
- 67 (ccc) Trimeperidine;
- 68 (3) Any of the following opium derivatives, their salts, isomers and salts
- 69 of isomers unless specifically excepted, whenever the existence of these salts,
- 70 isomers and salts of isomers is possible within the specific chemical designation:
- 71 (a) Acetorphine;
- 72 (b) Acetyldihydrocodeine;
- 73 (c) Benzylmorphine;
- 74 (d) Codeine methylbromide;
- 75 (e) Codeine-N-Oxide;
- 76 (f) Cyprenorphine;
- 77 (g) Desomorphine;
- 78 (h) Dihydromorphine;
- 79 (i) Drotebanol;
- 80 (j) Etorphine (except hydrochloride salt);
- 81 (k) Heroin;
- 82 (l) Hydromorphenol;
- 83 (m) Methyldesorphine;
- 84 (n) Methyldihydromorphine;
- 85 (o) Morphine methylbromide;
- 86 (p) Morphine methylsulfonate;
- 87 (q) Morphine-N-Oxide;
- 88 (r) Myrophine;
- 89 (s) Nicocodeine;
- 90 (t) Nicomorphine;
- 91 (u) Normorphine;
- 92 (v) Pholcodine;
- 93 (w) Thebacon;
- 94 (4) Any material, compound, mixture or preparation which contains any
- 95 quantity of the following hallucinogenic substances, their salts, isomers and salts
- 96 of isomers, unless specifically excepted, whenever the existence of these salts,
- 97 isomers, and salts of isomers is possible within the specific chemical designation:
- 98 (a) 4-bromo-2, 5-dimethoxyamphetamine;

- 99 (b) 4-bromo-2, 5-dimethoxyphenethylamine;
100 (c) 2,5-dimethoxyamphetamine;
101 (d) 2,5-dimethoxy-4-ethylamphetamine;
102 (e) 2,5-dimethoxy-4-(n)-propylthiophenethylamine;
103 (f) 4-methoxyamphetamine;
104 (g) 5-methoxy-3,4-methylenedioxyamphetamine;
105 (h) 4-methyl-2, 5-dimethoxyamphetamine;
106 (i) 3,4-methylenedioxyamphetamine;
107 (j) 3,4-methylenedioxymethamphetamine;
108 (k) 3,4-methylenedioxy-N-ethylamphetamine;
109 (l) N-hydroxy-3, 4-methylenedioxyamphetamine;
110 (m) 3,4,5-trimethoxyamphetamine;
111 (n) 5-MeO-DMT or 5-methoxy-N,N-dimethyltryptamine, its isomers, salts,
112 and salts of isomers;
113 (o) Alpha-ethyltryptamine;
114 (p) Alpha-methyltryptamine;
115 (q) Bufotenine;
116 (r) Diethyltryptamine;
117 (s) Dimethyltryptamine;
118 (t) 5-methoxy-N,N-diisopropyltryptamine;
119 (u) Ibogaine;
120 (v) Lysergic acid diethylamide;
121 (w) Marijuana or marihuana, **except industrial hemp as defined in**
122 **section 195.010;**
123 (x) Mescaline;
124 (y) Parahexyl;
125 (z) Peyote, to include all parts of the plant presently classified botanically
126 as Lophophora Williamsii Lemaire, whether growing or not; the seeds thereof; any
127 extract from any part of such plant; and every compound, manufacture, salt,
128 derivative, mixture or preparation of the plant, its seed or extracts;
129 (aa) N-ethyl-3-piperidyl benzilate;
130 (bb) N-methyl-3-piperidyl benzilate;
131 (cc) Psilocybin;
132 (dd) Psilocyn;
133 (ee) Tetrahydrocannabinols naturally contained in a plant of the genus
134 Cannabis (cannabis plant), **except industrial hemp as defined in section**

135 **195.010**, as well as synthetic equivalents of the substances contained in the
136 cannabis plant, or in the resinous extractives of such plant, or synthetic
137 substances, derivatives, and their isomers with similar chemical structure and
138 pharmacological activity to those substances contained in the plant, such as the
139 following:

- 140 a. 1 cis or trans tetrahydrocannabinol, and their optical isomers;
- 141 b. 6 cis or trans tetrahydrocannabinol, and their optical isomers;
- 142 c. 3,4 cis or trans tetrahydrocannabinol, and their optical isomers;
- 143 d. Any compounds of these structures, regardless of numerical designation
144 of atomic positions covered;
- 145 (ff) Ethylamine analog of phencyclidine;
- 146 (gg) Pyrrolidine analog of phencyclidine;
- 147 (hh) Thiophene analog of phencyclidine;
- 148 (ii) 1-[1-(2-thienyl)cyclohexyl]pyrrolidine;
- 149 (jj) Salvia divinorum;
- 150 (kk) Salvinorin A;
- 151 (ll) Synthetic cannabinoids:
- 152 a. Any compound structurally derived from 3-(1-naphthoyl)indole or
153 1H-indol-3-yl-(1-naphthyl)methane by substitution at the nitrogen atom of the
154 indole ring by alkyl, haloalkyl, alkenyl, cycloalkylmethyl, cycloalkylethyl,
155 1-(N-methyl-2-piperidinyl)methyl or 2-(4-morpholinyl)ethyl group, whether or not
156 further substituted in the indole ring to any extent, whether or not substituted
157 in the naphthyl ring to any extent. Including, but not limited to:
 - 158 (i) JWH-007, or 1-pentyl-2-methyl-3-(1-naphthoyl)indole;
 - 159 (ii) JWH-015, or 1-propyl-2-methyl-3-(1-naphthoyl)indole;
 - 160 (iii) JWH-018, or 1-pentyl-3-(1-naphthoyl)indole;
 - 161 (iv) JWH-019, or 1-hexyl-3-(1-naphthoyl)indole;
 - 162 (v) JWH-073, or 1-butyl-3-(1-naphthoyl)indole;
 - 163 (vi) JWH-081, or 1-pentyl-3-(4-methoxy-1-naphthoyl)indole;
 - 164 (vii) JWH-098, or 1-pentyl-2-methyl-3-(4-methoxy-1-naphthoyl)indole;
 - 165 (viii) JWH-122, or 1-pentyl-3-(4-methyl-1-naphthoyl)indole;
 - 166 (ix) JWH-164, or 1-pentyl-3-(7-methoxy-1-naphthoyl)indole;
 - 167 (x) JWH-200, or 1-(2-(4-(morpholinyl)ethyl))-3-(1-naphthoyl)indole;
 - 168 (xi) JWH-210, or 1-pentyl-3-(4-ethyl-1-naphthoyl)indole;
 - 169 (xii) JWH-398, or 1-pentyl-3-(4-chloro-1-naphthoyl)indole;
- 170 b. Any compound structurally derived from 3-(1-naphthoyl)pyrrole by

171 substitution at the nitrogen atom of the pyrrole ring by alkyl, haloalkyl, alkenyl,
172 cycloalkylmethyl, cycloalkylethyl, 1-(N-methyl-2-piperidinyl)methyl or
173 2-(4-morpholinyl)ethyl group, whether or not further substituted in the pyrrole ring to
174 any extent, whether or not substituted in the naphthyl ring to any extent;

175 c. Any compound structurally derived from 1-(1-naphthylmethyl)indene
176 by substitution at the 3-position of the indene ring by alkyl, haloalkyl, alkenyl,
177 cycloalkylmethyl, cycloalkylethyl, 1-(N-methyl-2-piperidinyl)methyl or
178 2-(4-morpholinyl)ethyl group, whether or not further substituted in the indene
179 ring to any extent, whether or not substituted in the naphthyl ring to any extent;

180 d. Any compound structurally derived from 3-phenylacetylindole by
181 substitution at the nitrogen atom of the indole ring with alkyl, haloalkyl, alkenyl,
182 cycloalkylmethyl, cycloalkylethyl, 1-(N-methyl-2-piperidinyl)methyl or
183 2-(4-morpholinyl)ethyl group, whether or not further substituted in the indole
184 ring to any extent, whether or not substituted in the phenyl ring to any
185 extent. Including, but not limited to:

186 (i) JWH-201, or 1-pentyl-3-(4-methoxyphenylacetyl)indole;

187 (ii) JWH-203, or 1-pentyl-3-(2-chlorophenylacetyl)indole;

188 (iii) JWH-250, or 1-pentyl-3-(2-methoxyphenylacetyl)indole;

189 (iv) JWH-251, or 1-pentyl-3-(2-methylphenylacetyl)indole;

190 (v) RCS-8, or 1-(2-cyclohexylethyl)-3-(2-methoxyphenylacetyl)indole;

191 e. Any compound structurally derived from 2-(3-hydroxycyclohexyl)phenol
192 by substitution at the 5-position of the phenolic ring by alkyl, haloalkyl, alkenyl,
193 cycloalkylmethyl, cycloalkylethyl, 1-(N-methyl-2-piperidinyl)methyl or
194 2-(4-morpholinyl)ethyl group, whether or not substituted in the cyclohexyl ring
195 to any extent. Including, but not limited to:

196 (i) CP 47, 497 & homologues, or

197 2-[(1R,3S)-3-hydroxycyclohexyl]-5-(2-methyloctan-2-yl)phenol, where side chain
198 n=5, and homologues where side chain n=4,6, or 7;

199 f. Any compound containing a 3-(benzoyl)indole structure with
200 substitution at the nitrogen atom of the indole ring by alkyl, haloalkyl, alkenyl,
201 cycloalkylmethyl, cycloalkylethyl, 1-(N-methyl-2-piperidinyl)methyl or
202 2-(4-morpholinyl)ethyl group, whether or not further substituted in the indole
203 ring to any extent and whether or not substituted in the phenyl ring to any
204 extent. Including, but not limited to:

205 (i) AM-694, or 1-(5-fluoropentyl)-3-(2-iodobenzoyl)indole;

206 (ii) RCS-4, or 1-pentyl-3-(4-methoxybenzoyl)indole;

- 207 g. CP 50,556-1, or
208 [(6S,6aR,9R,10aR)-9-hydroxy-6-methyl-3-[(2R)-5-phenylpentan-2-yl]
209 oxy-5,6,6a,7,8,9,10,10a-octahydrophenanthridin-1-yl] acetate;
210 h. HU-210, or
211 (6aR,10aR)-9-(hydroxymethyl)-6,6-dimethyl-3-(2-methyloctan-2-yl)-6a,7,10,10
212 a-tetrahydrobenzo[c]chromen-1-ol;
213 i. HU-211, or Dexanabinol,(6aS,10aS)-9-(hydroxymethyl)-6,6-dimethyl-3-(2-
214 methyloctan-2-yl)-6a,7,10,10a-tetrahydrobenzo[c]chromen-1-ol;
215 j. CP 50,556-1, or
216 [(6S,6aR,9R,10aR)-9-hydroxy-6-methyl-3-[(2R)-5-phenylpentan-2-yl]
217 oxy-5,6,6a,7,8,9,10,10a-octahydrophenanthridin-1-yl] acetate;
218 k. Dimethylheptylpyran, or DMHP;
219 (5) Any material, compound, mixture or preparation containing any
220 quantity of the following substances having a depressant effect on the central
221 nervous system, including their salts, isomers and salts of isomers whenever the
222 existence of these salts, isomers and salts of isomers is possible within the
223 specific chemical designation:
224 (a) Gamma-hydroxybutyric acid;
225 (b) Mecloqualone;
226 (c) Methaqualone;
227 (6) Any material, compound, mixture or preparation containing any
228 quantity of the following substances having a stimulant effect on the central
229 nervous system, including their salts, isomers and salts of isomers:
230 (a) Aminorex;
231 (b) N-benzylpiperazine;
232 (c) Cathinone;
233 (d) Fenethylamine;
234 (e) 3-Fluoromethcathinone;
235 (f) 4-Fluoromethcathinone;
236 (g) Mephedrone, or 4-methylmethcathinone;
237 (h) Methcathinone;
238 (i) 4-methoxymethcathinone;
239 (j) (+,-)cis-4-methylaminorex ((+,-)cis-4,5-dihydro-4-methyl-5-phenyl-2-oxazoline);
240 (k) Methylenedioxypyrovalerone, MDPV, or
241 (1-(1,3-Benzodioxol-5-yl)-2-(1-pyrrolidinyl)-1-pentanone;
242 (l) Methylenedioxymethcathinone;

- 243 (m) 4-Methyl-alpha-pyrrolidinobutiophenone, or MPBP;
244 (n) N-ethylamphetamine;
245 (o) N,N-dimethylamphetamine;
246 (7) A temporary listing of substances subject to emergency scheduling
247 under federal law shall include any material, compound, mixture or preparation
248 which contains any quantity of the following substances:
249 (a) N-(1-benzyl-4-piperidyl)-N phenylpropanamide (benzylfentanyl), its
250 optical isomers, salts and salts of isomers;
251 (b) N-(1-(2-thienyl)methyl-4-piperidyl)-N-phenylpropanamide
252 (thenylfentanyl), its optical isomers, salts and salts of isomers;
253 (8) Khat, to include all parts of the plant presently classified botanically
254 as *catha edulis*, whether growing or not; the seeds thereof; any extract from any
255 part of such plant; and every compound, manufacture, salt, derivative, mixture,
256 or preparation of the plant, its seed or extracts.
- 257 3. The department of health and senior services shall place a substance
258 in Schedule II if it finds that:
- 259 (1) The substance has high potential for abuse;
260 (2) The substance has currently accepted medical use in treatment in the
261 United States, or currently accepted medical use with severe restrictions; and
262 (3) The abuse of the substance may lead to severe psychic or physical
263 dependence.
- 264 4. The controlled substances listed in this subsection are included in
265 Schedule II:
- 266 (1) Any of the following substances whether produced directly or indirectly
267 by extraction from substances of vegetable origin, or independently by means of
268 chemical synthesis, or by combination of extraction and chemical synthesis:
269 (a) Opium and opiate and any salt, compound, derivative or preparation
270 of opium or opiate, excluding apomorphine, thebaine-derived butorphanol,
271 dextrorphan, nalbuphine, nalmefene, naloxone and naltrexone, and their
272 respective salts but including the following:
273 a. Raw opium;
274 b. Opium extracts;
275 c. Opium fluid;
276 d. Powdered opium;
277 e. Granulated opium;
278 f. Tincture of opium;

- 279 g. Codeine;
280 h. Ethylmorphine;
281 i. Etorphine hydrochloride;
282 j. Hydrocodone;
283 k. Hydromorphone;
284 l. Metopon;
285 m. Morphine;
286 n. Oxycodone;
287 o. Oxymorphone;
288 p. Thebaine;
289 (b) Any salt, compound, derivative, or preparation thereof which is
290 chemically equivalent or identical with any of the substances referred to in this
291 subdivision, but not including the isoquinoline alkaloids of opium;
292 (c) Opium poppy and poppy straw;
293 (d) Coca leaves and any salt, compound, derivative, or preparation of coca
294 leaves, and any salt, compound, derivative, or preparation thereof which is
295 chemically equivalent or identical with any of these substances, but not including
296 decocainized coca leaves or extractions which do not contain cocaine or ecgonine;
297 (e) Concentrate of poppy straw (the crude extract of poppy straw in either
298 liquid, solid or powder form which contains the phenanthrene alkaloids of the
299 opium poppy);
300 (2) Any of the following opiates, including their isomers, esters, ethers,
301 salts, and salts of isomers, whenever the existence of these isomers, esters, ethers
302 and salts is possible within the specific chemical designation, dextrophan and
303 levopropoxyphene excepted:
304 (a) Alfentanil;
305 (b) Alphaprodine;
306 (c) Anileridine;
307 (d) Bezitramide;
308 (e) Bulk dextropropoxyphene;
309 (f) Carfentanil;
310 (g) Dihydrocodeine;
311 (h) Diphenoxylate;
312 (i) Fentanyl;
313 (j) Isomethadone;
314 (k) Levo-alphaacetylmethadol;

- 315 (l) Levomethorphan;
316 (m) Levorphanol;
317 (n) Metazocine;
318 (o) Methadone;
319 (p) Meperidine;
320 (q) Methadone-Intermediate, 4-cyano-2-dimethylamino-4, 4-diphenylbutane;
321 (r) Moramide-Intermediate, 2-methyl-3-morpholino-1,
322 [1-diphenylpropane--carboxylic acid] **1-diphenylpropane-carboxylic acid**;
323 (s) Pethidine (meperidine);
324 (t) Pethidine-Intermediate-A, 4-cyano-1-methyl-4-phenylpiperidine;
325 (u) Pethidine-Intermediate-B, ethyl-4-phenylpiperidine-4-carboxylate;
326 (v) Pethidine-Intermediate-C, 1-methyl-4-phenylpiperidine-4-carboxylic acid;
327 (w) Phenazocine;
328 (x) Piminodine;
329 (y) Racemethorphan;
330 (z) Racemorphan;
331 (aa) Remifentanil;
332 (bb) Sufentanil;
333 (cc) Tapentadol;
334 (3) Any material, compound, mixture, or preparation which contains any
335 quantity of the following substances having a stimulant effect on the central
336 nervous system:
337 (a) Amphetamine, its salts, optical isomers, and salts of its optical
338 isomers;
339 (b) Lisdexamfetamine, its salts, isomers, and salts of its isomers;
340 (c) Methamphetamine, its salts, isomers, and salts of its isomers;
341 (d) Phenmetrazine and its salts;
342 (e) Methylphenidate;
343 (4) Any material, compound, mixture, or preparation which contains any
344 quantity of the following substances having a depressant effect on the central
345 nervous system, including its salts, isomers, and salts of isomers whenever the
346 existence of those salts, isomers, and salts of isomers is possible within the
347 specific chemical designation:
348 (a) Amobarbital;
349 (b) Glutethimide;
350 (c) Pentobarbital;

- 351 (d) Phencyclidine;
- 352 (e) Secobarbital;
- 353 (5) Any material or compound which contains any quantity of nabilone;
- 354 (6) Any material, compound, mixture, or preparation which contains any
- 355 quantity of the following substances:
- 356 (a) Immediate precursor to amphetamine and methamphetamine:
- 357 Phenylacetone;
- 358 (b) Immediate precursors to phencyclidine (PCP):
- 359 a. 1-phenylcyclohexylamine;
- 360 b. 1-piperidinocyclohexanecarbonitrile (PCC);
- 361 (7) Any material, compound, mixture, or preparation which contains any
- 362 quantity of the following alkyl nitrites:
- 363 (a) Amyl nitrite;
- 364 (b) Butyl nitrite.
- 365 5. The department of health and senior services shall place a substance
- 366 in Schedule III if it finds that:
- 367 (1) The substance has a potential for abuse less than the substances listed
- 368 in Schedules I and II;
- 369 (2) The substance has currently accepted medical use in treatment in the
- 370 United States; and
- 371 (3) Abuse of the substance may lead to moderate or low physical
- 372 dependence or high psychological dependence.
- 373 6. The controlled substances listed in this subsection are included in
- 374 Schedule III:
- 375 (1) Any material, compound, mixture, or preparation which contains any
- 376 quantity of the following substances having a potential for abuse associated with
- 377 a stimulant effect on the central nervous system:
- 378 (a) Benzphetamine;
- 379 (b) Chlorphentermine;
- 380 (c) Clortermine;
- 381 (d) Phendimetrazine;
- 382 (2) Any material, compound, mixture or preparation which contains any
- 383 quantity or salt of the following substances or salts having a depressant effect on
- 384 the central nervous system:
- 385 (a) Any material, compound, mixture or preparation which contains any
- 386 quantity or salt of the following substances combined with one or more active

387 medicinal ingredients:

388 a. Amobarbital;

389 b. Secobarbital;

390 c. Pentobarbital;

391 (b) Any suppository dosage form containing any quantity or salt of the
392 following:

393 a. Amobarbital;

394 b. Secobarbital;

395 c. Pentobarbital;

396 (c) Any substance which contains any quantity of a derivative of
397 barbituric acid or its salt;

398 (d) Chlorhexadol;

399 (e) Embutramide;

400 (f) Gamma hydroxybutyric acid and its salts, isomers, and salts of isomers
401 contained in a drug product for which an application has been approved under
402 Section 505 of the federal Food, Drug, and Cosmetic Act;

403 (g) Ketamine, its salts, isomers, and salts of isomers;

404 (h) Lysergic acid;

405 (i) Lysergic acid amide;

406 (j) Methypylon;

407 (k) Sulfondiethylmethane;

408 (l) Sulfonethylmethane;

409 (m) Sulfonmethane;

410 (n) Tiletamine and zolazepam or any salt thereof;

411 (3) Nalorphine;

412 (4) Any material, compound, mixture, or preparation containing limited
413 quantities of any of the following narcotic drugs or their salts:

414 (a) Not more than 1.8 grams of codeine per one hundred milliliters or not
415 more than ninety milligrams per dosage unit, with an equal or greater quantity
416 of an isoquinoline alkaloid of opium;

417 (b) Not more than 1.8 grams of codeine per one hundred milliliters or not
418 more than ninety milligrams per dosage unit with one or more active, nonnarcotic
419 ingredients in recognized therapeutic amounts;

420 (c) Not more than three hundred milligrams of hydrocodone per one
421 hundred milliliters or not more than fifteen milligrams per dosage unit, with a
422 fourfold or greater quantity of an isoquinoline alkaloid of opium;

423 (d) Not more than three hundred milligrams of hydrocodone per one
424 hundred milliliters or not more than fifteen milligrams per dosage unit, with one
425 or more active nonnarcotic ingredients in recognized therapeutic amounts;

426 (e) Not more than 1.8 grams of dihydrocodeine per one hundred milliliters
427 or not more than ninety milligrams per dosage unit, with one or more active
428 nonnarcotic ingredients in recognized therapeutic amounts;

429 (f) Not more than three hundred milligrams of ethylmorphine per one
430 hundred milliliters or not more than fifteen milligrams per dosage unit, with one
431 or more active, nonnarcotic ingredients in recognized therapeutic amounts;

432 (g) Not more than five hundred milligrams of opium per one hundred
433 milliliters or per one hundred grams or not more than twenty-five milligrams per
434 dosage unit, with one or more active nonnarcotic ingredients in recognized
435 therapeutic amounts;

436 (h) Not more than fifty milligrams of morphine per one hundred milliliters
437 or per one hundred grams, with one or more active, nonnarcotic ingredients in
438 recognized therapeutic amounts;

439 (5) Any material, compound, mixture, or preparation containing any of the
440 following narcotic drugs or their salts, as set forth in subdivision (6) of this
441 subsection; buprenorphine;

442 (6) Anabolic steroids. Any drug or hormonal substance, chemically and
443 pharmacologically related to testosterone (other than estrogens, progestins,
444 corticosteroids, and dehydroepiandrosterone) that promotes muscle growth, except
445 an anabolic steroid which is expressly intended for administration through
446 implants to cattle or other nonhuman species and which has been approved by
447 the Secretary of Health and Human Services for that administration. If any
448 person prescribes, dispenses, or distributes such steroid for human use, such
449 person shall be considered to have prescribed, dispensed, or distributed an
450 anabolic steroid within the meaning of this subdivision. Unless specifically
451 excepted or unless listed in another schedule, any material, compound, mixture
452 or preparation containing any quantity of the following substances, including its
453 salts, esters and ethers:

454 (a) 3 β ,17-dihydroxy-5 α -androstane;

455 (b) 3 α ,17 β -dihydroxy-5 α -androstane;

456 (c) 5 α -androstane-3,17-dione;

457 (d) 1-androstenediol (3 β ,17 β -dihydroxy-5 α -androst-1-ene);

458 (e) 1-androstenediol (3 α ,17 β -dihydroxy-5 α -androst-1-ene);

- 459 (f) 4-androstenediol (3 β ,17 β -dihydroxy-androst-4-ene);
460 (g) 5-androstenediol (3 β ,17 β -dihydroxy-androst-5-ene);
461 (h) 1-androstenedione ([5 α]-androst-1-en-3,17-dione);
462 (i) 4-androstenedione (androst-4-en-3,17-dione);
463 (j) 5-androstenedione (androst-5-en-3,17-dione);
464 (k) Bolasterone (7 α , 17 α -dimethyl-17 β -hydroxyandrost-4-en-3-one);
465 (l) Boldenone (17 β -hydroxyandrost-1,4,-diene-3-one);
466 (m) Boldione;
467 (n) Calusterone (7 β , 17 α -dimethyl-17 β -hydroxyandrost-4-en-3-one);
468 (o) Clostebol (4-chloro-17 β -hydroxyandrost-4-en-3-one);
469 (p) Dehydrochloromethyltestosterone
470 (4-chloro-17 β -hydroxy-17 α -methyl-androst-1,4-dien-3-one);
471 (q) Desoxymethyltestosterone;
472 (r) Δ 1-dihydrotestosterone (a.k.a. '1-testosterone')(17 β -hydroxy-5 α -androst-1-en-3-one);
473 (s) 4-dihydrotestosterone (17 β -hydroxy-androstan-3-one);
474 (t) Drostanolone (17 β -hydroxy-2 α -methyl-5 α -androstan-3-one);
475 (u) Ethylestrenol (17 α -ethyl-17 β -hydroxyestr-4-ene);
476 (v) Fluoxymesterone
477 (9-fluoro-17 α -methyl-11 β ,17 β -dihydroxyandrost-4-en-3-one);
478 (w) Formebolone
479 (2-formyl-17 α -methyl-11 α ,17 β -dihydroxyandrost-1,4-dien-3-one);
480 (x) Furazabol (17 α -methyl-17 β -hydroxyandrostando[2,3-c]-furazan);
481 (y) 13 β -ethyl-17 β -hydroxygon-4-en-3-one;
482 (z) 4-hydroxytestosterone (4,17 β -dihydroxy-androst-4-en-3-one);
483 (aa) 4-hydroxy-19-nortestosterone (4,17 β -dihydroxy-estr-4-en-3-one);
484 (bb) Mestanolone (17 α -methyl-17 β -hydroxy-5 α -androstan-3-one);
485 (cc) Mesterolone (1 α -methyl-17 β -hydroxy-[5 α]-androstan-3-one);
486 (dd) Methandienone (17 α -methyl-17 β -hydroxyandrost-1,4-dien-3-one);
487 (ee) Methandriol (17 α -methyl-3 β ,17 β -dihydroxyandrost-5-ene);
488 (ff) Methenolone (1-methyl-17 β -hydroxy-5 α -androst-1-en-3-one);
489 (gg) 17 α -methyl-3 β ,17 β -dihydroxy-5 α -androstande);
490 (hh) 17 α -methyl-3 α ,17 β -dihydroxy-5 α -androstande);
491 (ii) 17 α -methyl-3 β ,17 β -dihydroxyandrost-4-ene;
492 (jj) 17 α -methyl-4-hydroxynandrolone
493 (17 α -methyl-4-hydroxy-17 β -hydroxyestr-4-en-3-one);
494 (kk) Methyldienolone (17 α -methyl-17 β -hydroxyestra-4,9(10)-dien-3-one);

- 495 (ll) Methyltrienolone (17 α -methyl-17 β -hydroxyestra-4,9,11-trien-3-one);
496 (mm) Methyltestosterone (17 α -methyl-17 β -hydroxyandrost-4-en-3-one);
497 (nn) Mibolerone (7 α ,17 α -dimethyl-17 β -hydroxyestr-4-en-3-one);
498 (oo) 17 α -methyl- Δ 1-dihydrotestosterone
499 (17 β -hydroxy-17 α -methyl-5 α -androst-1-en-3-one) (a.k.a. '17 α -methyl-1-testosterone);
500 (pp) Nandrolone (17 β -hydroxyestr-4-ene-3-one);
501 (qq) 19-nor-4-androstenediol (3 β ,17 β -dihydroxyestr-4-ene);
502 (rr) 19-nor-4-androstenediol (3 α ,17 β -dihydroxyestr-4-ene);
503 (ss) 19-nor-4,9(10)-androstadienedione;
504 (tt) 19-nor-5-androstenediol (3 β ,17 β -dihydroxyestr-5-ene);
505 (uu) 19-nor-5-androstenediol (3 α ,17 β -dihydroxyestr-5-ene);
506 (vv) 19-nor-4-androstenedione (estr-4-en-3,17-dione);
507 (ww) 19-nor-5-androstenedione (estr-5-en-3,17-dione);
508 (xx) Norbolethone (13 β ,17 α -diethyl-17 β -hydroxygon-4-en-3-one);
509 (yy) Norclostebol (4-chloro-17 β -hydroxyestr-4-en-3-one);
510 (zz) Norethandrolone (17 α -ethyl-17 β -hydroxyestr-4-en-3-one);
511 (aaa) Normethandrolone (17 α -methyl-17 β -hydroxyestr-4-en-3-one);
512 (bbb) Oxandrolone (17 α -methyl-17 β -hydroxy-2-oxa-[5 α]-androst-3-one);
513 (ccc) Oxymesterone (17 α -methyl-4,17 β -dihydroxyandrost-4-en-3-one);
514 (ddd) Oxymethalone
515 (17 α -methyl-2-hydroxymethylene-17 β -hydroxy-[5 α]-androst-3-one);
516 (eee) Stanozolol
517 (17 α -methyl-17 β -hydroxy-[5 α]-androst-2-eno[3,2-c]-pyrazole);
518 (fff) Stenbolone (17 β -hydroxy-2-methyl-[5 α]-androst-1-en-3-one);
519 (ggg) Testolactone (13-hydroxy-3-oxo-13,17-secoandrosta-1,4-dien-17-oic
520 acid lactone);
521 (hhh) Testosterone (17 β -hydroxyandrost-4-en-3-one);
522 (iii) Tetrahydrogestrinone
523 (13 β ,17 α -diethyl-17 β -hydroxygon-4,9,11-trien-3-one);
524 (jjj) Trenbolone (17 β -hydroxyestr-4,9,11-trien-3-one);
525 (kkk) Any salt, ester, or ether of a drug or substance described or listed
526 in this subdivision, except an anabolic steroid which is expressly intended for
527 administration through implants to cattle or other nonhuman species and which
528 has been approved by the Secretary of Health and Human Services for that
529 administration;
530 (7) Dronabinol (synthetic) in sesame oil and encapsulated in a soft gelatin

531 capsule in a United States Food and Drug Administration approved drug product;

532 (8) The department of health and senior services may except by rule any
533 compound, mixture, or preparation containing any stimulant or depressant
534 substance listed in subdivisions (1) and (2) of this subsection from the application
535 of all or any part of sections 195.010 to 195.320 if the compound, mixture, or
536 preparation contains one or more active medicinal ingredients not having a
537 stimulant or depressant effect on the central nervous system, and if the
538 admixtures are included therein in combinations, quantity, proportion, or
539 concentration that vitiate the potential for abuse of the substances which have
540 a stimulant or depressant effect on the central nervous system.

541 7. The department of health and senior services shall place a substance
542 in Schedule IV if it finds that:

543 (1) The substance has a low potential for abuse relative to substances in
544 Schedule III;

545 (2) The substance has currently accepted medical use in treatment in the
546 United States; and

547 (3) Abuse of the substance may lead to limited physical dependence or
548 psychological dependence relative to the substances in Schedule III.

549 8. The controlled substances listed in this subsection are included in
550 Schedule IV:

551 (1) Any material, compound, mixture, or preparation containing any of the
552 following narcotic drugs or their salts calculated as the free anhydrous base or
553 alkaloid, in limited quantities as set forth below:

554 (a) Not more than one milligram of difenoxin and not less than twenty-five
555 micrograms of atropine sulfate per dosage unit;

556 (b) Dextropropoxyphene (alpha-(+)-4-dimethylamino-1,
557 2-diphenyl-3-methyl-2-propionoxybutane);

558 (c) Any of the following limited quantities of narcotic drugs or their salts,
559 which shall include one or more nonnarcotic active medicinal ingredients in
560 sufficient proportion to confer upon the compound, mixture or preparation
561 valuable medicinal qualities other than those possessed by the narcotic drug
562 alone:

563 a. Not more than two hundred milligrams of codeine per one hundred
564 milliliters or per one hundred grams;

565 b. Not more than one hundred milligrams of dihydrocodeine per one
566 hundred milliliters or per one hundred grams;

567 c. Not more than one hundred milligrams of ethylmorphine per one
568 hundred milliliters or per one hundred grams;

569 (2) Any material, compound, mixture or preparation containing any
570 quantity of the following substances, including their salts, isomers, and salts of
571 isomers whenever the existence of those salts, isomers, and salts of isomers is
572 possible within the specific chemical designation:

- 573 (a) Alprazolam;
- 574 (b) Barbital;
- 575 (c) Bromazepam;
- 576 (d) Camazepam;
- 577 (e) Chloral betaine;
- 578 (f) Chloral hydrate;
- 579 (g) Chlordiazepoxide;
- 580 (h) Clobazam;
- 581 (i) Clonazepam;
- 582 (j) Clorazepate;
- 583 (k) Clotiazepam;
- 584 (l) Cloxazolam;
- 585 (m) Delorazepam;
- 586 (n) Diazepam;
- 587 (o) Dichloralphenazone;
- 588 (p) Estazolam;
- 589 (q) Ethchlorvynol;
- 590 (r) Ethinamate;
- 591 (s) Ethyl loflazepate;
- 592 (t) Fludiazepam;
- 593 (u) Flunitrazepam;
- 594 (v) Flurazepam;
- 595 (w) Fospropofol;
- 596 (x) Halazepam;
- 597 (y) Haloxazolam;
- 598 (z) Ketazolam;
- 599 (aa) Loprazolam;
- 600 (bb) Lorazepam;
- 601 (cc) Lormetazepam;
- 602 (dd) Mebutamate;

- 603 (ee) Medazepam;
604 (ff) Meprobamate;
605 (gg) Methohexital;
606 (hh) Methylphenobarbital (mephobarbital);
607 (ii) Midazolam;
608 (jj) Nimetazepam;
609 (kk) Nitrazepam;
610 (ll) Nordiazepam;
611 (mm) Oxazepam;
612 (nn) Oxazolam;
613 (oo) Paraldehyde;
614 (pp) Petrichloral;
615 (qq) Phenobarbital;
616 (rr) Pinazepam;
617 (ss) Prazepam;
618 (tt) Quazepam;
619 (uu) Temazepam;
620 (vv) Tetrazepam;
621 (ww) Triazolam;
622 (xx) Zaleplon;
623 (yy) Zolpidem;
624 (zz) Zopiclone;

625 (3) Any material, compound, mixture, or preparation which contains any
626 quantity of the following substance including its salts, isomers and salts of
627 isomers whenever the existence of such salts, isomers and salts of isomers is
628 possible: fenfluramine;

629 (4) Any material, compound, mixture or preparation containing any
630 quantity of the following substances having a stimulant effect on the central
631 nervous system, including their salts, isomers and salts of isomers:

- 632 (a) Cathine ((+)-norpseudoephedrine);
633 (b) Diethylpropion;
634 (c) Fencamfamin;
635 (d) Fenproporex;
636 (e) Mazindol;
637 (f) Mefenorex;
638 (g) Modafinil;

639 (h) Pemoline, including organometallic complexes and chelates thereof;
640 (i) Phentermine;
641 (j) Pipradrol;
642 (k) Sibutramine;
643 (l) SPA ((-)-1-dimethyamino-1,2-diphenylethane);
644 (5) Any material, compound, mixture or preparation containing any
645 quantity of the following substance, including its salts:
646 (a) butorphanol;
647 (b) pentazocine;
648 (6) Ephedrine, its salts, optical isomers and salts of optical isomers, when
649 the substance is the only active medicinal ingredient;
650 (7) The department of health and senior services may except by rule any
651 compound, mixture, or preparation containing any depressant substance listed in
652 subdivision (1) of this subsection from the application of all or any part of sections
653 195.010 to 195.320 and sections 579.015 to 579.086 if the compound, mixture, or
654 preparation contains one or more active medicinal ingredients not having a
655 depressant effect on the central nervous system, and if the admixtures are
656 included therein in combinations, quantity, proportion, or concentration that
657 vitiate the potential for abuse of the substances which have a depressant effect
658 on the central nervous system.

659 9. The department of health and senior services shall place a substance
660 in Schedule V if it finds that:

661 (1) The substance has low potential for abuse relative to the controlled
662 substances listed in Schedule IV;

663 (2) The substance has currently accepted medical use in treatment in the
664 United States; and

665 (3) The substance has limited physical dependence or psychological
666 dependence liability relative to the controlled substances listed in Schedule IV.

667 10. The controlled substances listed in this subsection are included in
668 Schedule V:

669 (1) Any compound, mixture or preparation containing any of the following
670 narcotic drugs or their salts calculated as the free anhydrous base or alkaloid, in
671 limited quantities as set forth below, which also contains one or more nonnarcotic
672 active medicinal ingredients in sufficient proportion to confer upon the compound,
673 mixture or preparation valuable medicinal qualities other than those possessed
674 by the narcotic drug alone:

675 (a) Not more than two and five-tenths milligrams of diphenoxylate and not
676 less than twenty-five micrograms of atropine sulfate per dosage unit;

677 (b) Not more than one hundred milligrams of opium per one hundred
678 milliliters or per one hundred grams;

679 (c) Not more than five-tenths milligram of difenoxin and not less than
680 twenty-five micrograms of atropine sulfate per dosage unit;

681 (2) Any material, compound, mixture or preparation which contains any
682 quantity of the following substance having a stimulant effect on the central
683 nervous system including its salts, isomers and salts of isomers: pyrovalerone;

684 (3) Any compound, mixture, or preparation containing any detectable
685 quantity of pseudoephedrine or its salts or optical isomers, or salts of optical
686 isomers or any compound, mixture, or preparation containing any detectable
687 quantity of ephedrine or its salts or optical isomers, or salts of optical isomers;

688 (4) Unless specifically exempted or excluded or unless listed in another
689 schedule, any material, compound, mixture, or preparation which contains any
690 quantity of the following substances having a depressant effect on the central
691 nervous system, including its salts:

692 (a) Lacosamide;

693 (b) Pregabalin.

694 11. If any compound, mixture, or preparation as specified in subdivision
695 (3) of subsection 10 of this section is dispensed, sold, or distributed in a pharmacy
696 without a prescription:

697 (1) All packages of any compound, mixture, or preparation containing any
698 detectable quantity of pseudoephedrine, its salts or optical isomers, or salts of
699 optical isomers or ephedrine, its salts or optical isomers, or salts of optical
700 isomers, shall be offered for sale only from behind a pharmacy counter where the
701 public is not permitted, and only by a registered pharmacist or registered
702 pharmacy technician; and

703 (2) Any person purchasing, receiving or otherwise acquiring any
704 compound, mixture, or preparation containing any detectable quantity of
705 pseudoephedrine, its salts or optical isomers, or salts of optical isomers or
706 ephedrine, its salts or optical isomers, or salts of optical isomers shall be at least
707 eighteen years of age; and

708 (3) The pharmacist, intern pharmacist, or registered pharmacy technician
709 shall require any person, prior to such person's purchasing, receiving or otherwise
710 acquiring such compound, mixture, or preparation to furnish suitable photo

711 identification that is issued by a state or the federal government or a document
712 that, with respect to identification, is considered acceptable and showing the date
713 of birth of the person;

714 (4) The seller shall deliver the product directly into the custody of the
715 purchaser.

716 12. Pharmacists, intern pharmacists, and registered pharmacy technicians
717 shall implement and maintain an electronic log of each transaction. Such log
718 shall include the following information:

719 (1) The name, address, and signature of the purchaser;

720 (2) The amount of the compound, mixture, or preparation purchased;

721 (3) The date and time of each purchase; and

722 (4) The name or initials of the pharmacist, intern pharmacist, or
723 registered pharmacy technician who dispensed the compound, mixture, or
724 preparation to the purchaser.

725 13. Each pharmacy shall submit information regarding sales of any
726 compound, mixture, or preparation as specified in subdivision (3) of subsection 10
727 of this section in accordance with transmission methods and frequency
728 established by the department by regulation.

729 14. No person shall dispense, sell, purchase, receive, or otherwise acquire
730 quantities greater than those specified in this chapter.

731 15. All persons who dispense or offer for sale pseudoephedrine and
732 ephedrine products in a pharmacy shall ensure that all such products are located
733 only behind a pharmacy counter where the public is not permitted.

734 16. The penalties for a knowing or reckless violation of the provisions of
735 subsections 11 to 15 of this section are found in section 579.060.

736 17. The scheduling of substances specified in subdivision (3) of subsection
737 10 of this section and subsections 11, 12, 14, and 15 of this section shall not apply
738 to any compounds, mixtures, or preparations that are in liquid or liquid-filled gel
739 capsule form or to any compound, mixture, or preparation specified in subdivision
740 (3) of subsection 10 of this section which must be dispensed, sold, or distributed
741 in a pharmacy pursuant to a prescription.

742 18. The manufacturer of a drug product or another interested party may
743 apply with the department of health and senior services for an exemption from
744 this section. The department of health and senior services may grant an
745 exemption by rule from this section if the department finds the drug product is
746 not used in the illegal manufacture of methamphetamine or other controlled or

747 dangerous substances. The department of health and senior services shall rely
748 on reports from law enforcement and law enforcement evidentiary laboratories in
749 determining if the proposed product can be used to manufacture illicit controlled
750 substances.

751 19. The department of health and senior services shall revise and
752 republish the schedules annually.

753 20. The department of health and senior services shall promulgate rules
754 under chapter 536 regarding the security and storage of Schedule V controlled
755 substances, as described in subdivision (3) of subsection 10 of this section, for
756 distributors as registered by the department of health and senior services.

757 21. Logs of transactions required to be kept and maintained by this
758 section and section 195.417 shall create a rebuttable presumption that the person
759 whose name appears in the logs is the person whose transactions are recorded in
760 the logs.

195.017. 1. The department of health and senior services shall place a
2 substance in Schedule I if it finds that the substance:

3 (1) Has high potential for abuse; and

4 (2) Has no accepted medical use in treatment in the United States or
5 lacks accepted safety for use in treatment under medical supervision.

6 2. Schedule I:

7 (1) The controlled substances listed in this subsection are included in
8 Schedule I;

9 (2) Any of the following opiates, including their isomers, esters, ethers,
10 salts, and salts of isomers, esters, and ethers, unless specifically excepted,
11 whenever the existence of these isomers, esters, ethers and salts is possible
12 within the specific chemical designation:

13 (a) Acetyl-alpha-methylfentanyl;

14 (b) Acetylmethadol;

15 (c) Allylprodine;

16 (d) Alphacetylmethadol;

17 (e) Alphameprodine;

18 (f) Alphamethadol;

19 (g) Alpha-methylfentanyl;

20 (h) Alpha-methylthiofentanyl;

21 (i) Benzethidine;

22 (j) Betacetylmethadol;

- 23 (k) Beta-hydroxyfentanyl;
- 24 (l) Beta-hydroxy-3-methylfentanyl;
- 25 (m) Betameprodine;
- 26 (n) Betamethadol;
- 27 (o) Betaprodine;
- 28 (p) Clonitazene;
- 29 (q) Dextromoramide;
- 30 (r) Diampromide;
- 31 (s) Diethylthiambutene;
- 32 (t) Difenoxin;
- 33 (u) Dimenoxadol;
- 34 (v) Dimepheptanol;
- 35 (w) Dimethylthiambutene;
- 36 (x) Dioxaphetyl butyrate;
- 37 (y) Dipipanone;
- 38 (z) Ethylmethylthiambutene;
- 39 (aa) Etonitazene;
- 40 (bb) Etoxidine;
- 41 (cc) Furethidine;
- 42 (dd) Hydroxypethidine;
- 43 (ee) Ketobemidone;
- 44 (ff) Levomoramide;
- 45 (gg) Levophenacetylmorphan;
- 46 (hh) 3-Methylfentanyl;
- 47 (ii) 3-Methylthiofentanyl;
- 48 (jj) Morpheridine;
- 49 (kk) MPPP;
- 50 (ll) Noracymethadol;
- 51 (mm) Norlevorphanol;
- 52 (nn) Normethadone;
- 53 (oo) Norpipanone;
- 54 (pp) Para-fluorofentanyl;
- 55 (qq) PEPAP;
- 56 (rr) Phenadoxone;
- 57 (ss) Phenampromide;
- 58 (tt) Phenomorphan;

- 59 (uu) Phenoperidine;
60 (vv) Piritramide;
61 (ww) Proheptazine;
62 (xx) Properidine;
63 (yy) Propiram;
64 (zz) Racemoramide;
65 (aaa) Thiofentanyl;
66 (bbb) Tilidine;
67 (ccc) Trimeperidine;
68 (3) Any of the following opium derivatives, their salts, isomers and salts
69 of isomers unless specifically excepted, whenever the existence of these salts,
70 isomers and salts of isomers is possible within the specific chemical designation:
71 (a) Acetorphine;
72 (b) Acetyldihydrocodeine;
73 (c) Benzylmorphine;
74 (d) Codeine methylbromide;
75 (e) Codeine-N-Oxide;
76 (f) Cyprenorphine;
77 (g) Desomorphine;
78 (h) Dihydromorphine;
79 (i) Drotebanol;
80 (j) Etorphine (except hydrochloride salt);
81 (k) Heroin;
82 (l) Hydromorphenol;
83 (m) Methyldesorphine;
84 (n) Methyldihydromorphine;
85 (o) Morphine methylbromide;
86 (p) Morphine methylsulfonate;
87 (q) Morphine-N-Oxide;
88 (r) Myrophine;
89 (s) Nicocodeine;
90 (t) Nicomorphine;
91 (u) Normorphine;
92 (v) Pholcodine;
93 (w) Thebacon;
94 (4) Any material, compound, mixture or preparation which contains any

- 95 quantity of the following hallucinogenic substances, their salts, isomers and salts
96 of isomers, unless specifically excepted, whenever the existence of these salts,
97 isomers, and salts of isomers is possible within the specific chemical designation:
- 98 (a) 4-bromo-2, 5-dimethoxyamphetamine;
 - 99 (b) 4-bromo-2, 5-dimethoxyphenethylamine;
 - 100 (c) 2,5-dimethoxyamphetamine;
 - 101 (d) 2,5-dimethoxy-4-ethylamphetamine;
 - 102 (e) 2,5-dimethoxy-4-(n)-propylthiophenethylamine;
 - 103 (f) 4-methoxyamphetamine;
 - 104 (g) 5-methoxy-3,4-methylenedioxyamphetamine;
 - 105 (h) 4-methyl-2, 5-dimethoxyamphetamine;
 - 106 (i) 3,4-methylenedioxyamphetamine;
 - 107 (j) 3,4-methylenedioxymethamphetamine;
 - 108 (k) 3,4-methylenedioxy-N-ethylamphetamine;
 - 109 (l) N-hydroxy-3, 4-methylenedioxyamphetamine;
 - 110 (m) 3,4,5-trimethoxyamphetamine;
 - 111 (n) 5-MeO-DMT or 5-methoxy-N,N-dimethyltryptamine, its isomers, salts,
112 and salts of isomers;
 - 113 (o) Alpha-ethyltryptamine;
 - 114 (p) Alpha-methyltryptamine;
 - 115 (q) Bufotenine;
 - 116 (r) Diethyltryptamine;
 - 117 (s) Dimethyltryptamine;
 - 118 (t) 5-methoxy-N,N-diisopropyltryptamine;
 - 119 (u) Ibogaine;
 - 120 (v) Lysergic acid diethylamide;
 - 121 (w) Marijuana or marihuana, **except industrial hemp as defined in**
122 **section 195.010;**
 - 123 (x) Mescaline;
 - 124 (y) Parahexyl;
 - 125 (z) Peyote, to include all parts of the plant presently classified botanically
126 as Lophophora Williamsii Lemaire, whether growing or not; the seeds thereof; any
127 extract from any part of such plant; and every compound, manufacture, salt,
128 derivative, mixture or preparation of the plant, its seed or extracts;
 - 129 (aa) N-ethyl-3-piperidyl benzilate;
 - 130 (bb) N-methyl-3-piperidyl benzilate;

- 131 (cc) Psilocybin;
- 132 (dd) Psilocyn;
- 133 (ee) Tetrahydrocannabinols naturally contained in a plant of the genus
- 134 *Cannabis* (*cannabis* plant), **except industrial hemp as defined in section**
- 135 **195.010**, as well as synthetic equivalents of the substances contained in the
- 136 *cannabis* plant, or in the resinous extractives of such plant, or synthetic
- 137 substances, derivatives, and their isomers with similar chemical structure and
- 138 pharmacological activity to those substances contained in the plant, such as the
- 139 following:
- 140 a. 1 *cis* or *trans* tetrahydrocannabinol, and their optical isomers;
- 141 b. 6 *cis* or *trans* tetrahydrocannabinol, and their optical isomers;
- 142 c. 3,4 *cis* or *trans* tetrahydrocannabinol, and their optical isomers;
- 143 d. Any compounds of these structures, regardless of numerical designation
- 144 of atomic positions covered;
- 145 (ff) Ethylamine analog of phencyclidine;
- 146 (gg) Pyrrolidine analog of phencyclidine;
- 147 (hh) Thiophene analog of phencyclidine;
- 148 (ii) 1-[1-(2-thienyl)cyclohexyl]pyrrolidine;
- 149 (jj) *Salvia divinorum*;
- 150 (kk) Salvinorin A;
- 151 (ll) Synthetic cannabinoids:
- 152 a. Any compound structurally derived from 3-(1-naphthoyl)indole or
- 153 1H-indol-3-yl-(1-naphthyl)methane by substitution at the nitrogen atom of the
- 154 indole ring by alkyl, haloalkyl, alkenyl, cycloalkylmethyl, cycloalkylethyl,
- 155 1-(N-methyl-2-piperidinyl)methyl or 2-(4-morpholinyl)ethyl group, whether or not
- 156 further substituted in the indole ring to any extent, whether or not substituted
- 157 in the naphthyl ring to any extent. Including, but not limited to:
- 158 (i) JWH-007, or 1-pentyl-2-methyl-3-(1-naphthoyl)indole;
- 159 (ii) JWH-015, or 1-propyl-2-methyl-3-(1-naphthoyl)indole;
- 160 (iii) JWH-018, or 1-pentyl-3-(1-naphthoyl)indole;
- 161 (iv) JWH-019, or 1-hexyl-3-(1-naphthoyl)indole;
- 162 (v) JWH-073, or 1-butyl-3-(1-naphthoyl)indole;
- 163 (vi) JWH-081, or 1-pentyl-3-(4-methoxy-1-naphthoyl)indole;
- 164 (vii) JWH-098, or 1-pentyl-2-methyl-3-(4-methoxy-1-naphthoyl)indole;
- 165 (viii) JWH-122, or 1-pentyl-3-(4-methyl-1-naphthoyl)indole;
- 166 (ix) JWH-164, or 1-pentyl-3-(7-methoxy-1-naphthoyl)indole;

- 167 (x) JWH-200, or 1-(2-(4-(morpholinyl)ethyl))-3-(1-naphthoyl)indole;
168 (xi) JWH-210, or 1-pentyl-3-(4-ethyl-1-naphthoyl)indole;
169 (xii) JWH-398, or 1-pentyl-3-(4-chloro-1-naphthoyl)indole;
170 b. Any compound structurally derived from 3-(1-naphthoyl)pyrrole by
171 substitution at the nitrogen atom of the pyrrole ring by alkyl, haloalkyl, alkenyl,
172 cycloalkylmethyl, cycloalkylethyl, 1-(N-methyl-2-piperidinyl)methyl or
173 2-(4-morpholinyl)ethyl group, whether or not further substituted in the pyrrole
174 ring to any extent, whether or not substituted in the naphthyl ring to any extent;
175 c. Any compound structurally derived from 1-(1-naphthylmethyl)indene
176 by substitution at the 3-position of the indene ring by alkyl, haloalkyl, alkenyl,
177 cycloalkylmethyl, cycloalkylethyl, 1-(N-methyl-2-piperidinyl)methyl or
178 2-(4-morpholinyl)ethyl group, whether or not further substituted in the indene
179 ring to any extent, whether or not substituted in the naphthyl ring to any extent;
180 d. Any compound structurally derived from 3-phenylacetylindole by
181 substitution at the nitrogen atom of the indole ring with alkyl, haloalkyl, alkenyl,
182 cycloalkylmethyl, cycloalkylethyl, 1-(N-methyl-2-piperidinyl)methyl or
183 2-(4-morpholinyl)ethyl group, whether or not further substituted in the indole
184 ring to any extent, whether or not substituted in the phenyl ring to any
185 extent. Including, but not limited to:
186 (i) JWH-201, or 1-pentyl-3-(4-methoxyphenylacetyl)indole;
187 (ii) JWH-203, or 1-pentyl-3-(2-chlorophenylacetyl)indole;
188 (iii) JWH-250, or 1-pentyl-3-(2-methoxyphenylacetyl)indole;
189 (iv) JWH-251, or 1-pentyl-3-(2-methylphenylacetyl)indole;
190 (v) RCS-8, or 1-(2-cyclohexylethyl)-3-(2-methoxyphenylacetyl)indole;
191 e. Any compound structurally derived from 2-(3-hydroxycyclohexyl)phenol
192 by substitution at the 5-position of the phenolic ring by alkyl, haloalkyl, alkenyl,
193 cycloalkylmethyl, cycloalkylethyl, 1-(N-methyl-2-piperidinyl)methyl or
194 2-(4-morpholinyl)ethyl group, whether or not substituted in the cyclohexyl ring
195 to any extent. Including, but not limited to:
196 (i) CP 47, 497 & homologues, or
197 2-[(1R,3S)-3-hydroxycyclohexyl]-5-(2-methyloctan-2-yl)phenol), where side chain
198 n=5, and homologues where side chain n=4,6, or 7;
199 f. Any compound containing a 3-(benzoyl)indole structure with
200 substitution at the nitrogen atom of the indole ring by alkyl, haloalkyl, alkenyl,
201 cycloalkylmethyl, cycloalkylethyl, 1-(N-methyl-2-piperidinyl)methyl or
202 2-(4-morpholinyl)ethyl group, whether or not further substituted in the indole

ring to any extent and whether or not substituted in the phenyl ring to any extent. Including, but not limited to:

- (i) AM-694, or 1-(5-fluoropentyl)-3-(2-iodobenzoyl)indole;
 - (ii) RCS-4, or 1-pentyl-3-(4-methoxybenzoyl)indole;
 - g. CP 50,556-1, or
[(6S,6aR,9R,10aR)-9-hydroxy-6-methyl-3-[(2R)-5-phenylpentan-2-yl]oxy-5,6,6a,7,8,9,10,10a-octahydrophenanthridin-1-yl] acetate;
 - h. HU-210, or
(6aR,10aR)-9-(hydroxymethyl)-6,6-dimethyl-3-(2-methyloctan-2-yl)-6a,7,10,10a-tetrahydrobenzo[c]chromen-1-ol;
 - i. HU-211, or Dexanabinol, (6aS,10aS)-9-(hydroxymethyl)-6,6-dimethyl-3-(2-methyloctan-2-yl)-6a,7,10,10a-tetrahydrobenzo[c]chromen-1-ol;
 - j. CP 50,556-1, or
[(6S,6aR,9R,10aR)-9-hydroxy-6-methyl-3-[(2R)-5-phenylpentan-2-yl]oxy-5,6,6a,7,8,9,10,10a-octahydrophenanthridin-1-yl] acetate;
 - k. Dimethylheptylpyran, or DMHP;
- (5) Any material, compound, mixture or preparation containing any quantity of the following substances having a depressant effect on the central nervous system, including their salts, isomers and salts of isomers whenever the existence of these salts, isomers and salts of isomers is possible within the specific chemical designation:
- (a) Gamma-hydroxybutyric acid;
 - (b) Mecloqualone;
 - (c) Methaqualone;
- (6) Any material, compound, mixture or preparation containing any quantity of the following substances having a stimulant effect on the central nervous system, including their salts, isomers and salts of isomers:
- (a) Aminorex;
 - (b) N-benzylpiperazine;
 - (c) Cathinone;
 - (d) Fenethylamine;
 - (e) 3-Fluoromethcathinone;
 - (f) 4-Fluoromethcathinone;
 - (g) Mephedrone, or 4-methylmethcathinone;
 - (h) Methcathinone;
 - (i) 4-methoxymethcathinone;

- 239 (j) (+,-)cis-4-methylaminorex
240 ((+,-)cis-4,5-dihydro-4-methyl-5-phenyl-2-oxazoline);
241 (k) Methylenedioxypyrovalerone, MDPV, or (1-(1,3-Benzodioxol-5-yl)-2-(1-
242 pyrrolidinyl)-1-pentanone;
243 (l) Methylon, or 3,4-Methylenedioxymethcathinone;
244 (m) 4-Methyl-alpha-pyrrolidinobutiophenone, or MPBP;
245 (n) N-ethylamphetamine;
246 (o) N,N-dimethylamphetamine;
247 (7) A temporary listing of substances subject to emergency scheduling
248 under federal law shall include any material, compound, mixture or preparation
249 which contains any quantity of the following substances:
250 (a) N-(1-benzyl-4-piperidyl)-N phenylpropanamide (benzylfentanyl), its
251 optical isomers, salts and salts of isomers;
252 (b) N-(1-(2-thienyl)methyl-4-piperidyl)-N-phenylpropanamide
253 (thenylfentanyl), its optical isomers, salts and salts of isomers;
254 (8) Khat, to include all parts of the plant presently classified botanically
255 as catha edulis, whether growing or not; the seeds thereof; any extract from any
256 part of such plant; and every compound, manufacture, salt, derivative, mixture,
257 or preparation of the plant, its seed or extracts.
258 3. The department of health and senior services shall place a substance
259 in Schedule II if it finds that:
260 (1) The substance has high potential for abuse;
261 (2) The substance has currently accepted medical use in treatment in the
262 United States, or currently accepted medical use with severe restrictions; and
263 (3) The abuse of the substance may lead to severe psychic or physical
264 dependence.
265 4. The controlled substances listed in this subsection are included in
266 Schedule II:
267 (1) Any of the following substances whether produced directly or indirectly
268 by extraction from substances of vegetable origin, or independently by means of
269 chemical synthesis, or by combination of extraction and chemical synthesis:
270 (a) Opium and opiate and any salt, compound, derivative or preparation
271 of opium or opiate, excluding apomorphine, thebaine-derived butorphanol,
272 dextrorphan, nalbuphine, nalmefene, naloxone and naltrexone, and their
273 respective salts but including the following:
274 a. Raw opium;

- 275 b. Opium extracts;
276 c. Opium fluid;
277 d. Powdered opium;
278 e. Granulated opium;
279 f. Tincture of opium;
280 g. Codeine;
281 h. Ethylmorphine;
282 i. Etorphine hydrochloride;
283 j. Hydrocodone;
284 k. Hydromorphone;
285 l. Metopon;
286 m. Morphine;
287 n. Oxycodone;
288 o. Oxymorphone;
289 p. Thebaine;
290 (b) Any salt, compound, derivative, or preparation thereof which is
291 chemically equivalent or identical with any of the substances referred to in this
292 subdivision, but not including the isoquinoline alkaloids of opium;
293 (c) Opium poppy and poppy straw;
294 (d) Coca leaves and any salt, compound, derivative, or preparation of coca
295 leaves, and any salt, compound, derivative, or preparation thereof which is
296 chemically equivalent or identical with any of these substances, but not including
297 decocainized coca leaves or extractions which do not contain cocaine or ecgonine;
298 (e) Concentrate of poppy straw (the crude extract of poppy straw in either
299 liquid, solid or powder form which contains the phenanthrene alkaloids of the
300 opium poppy);
301 (2) Any of the following opiates, including their isomers, esters, ethers,
302 salts, and salts of isomers, whenever the existence of these isomers, esters, ethers
303 and salts is possible within the specific chemical designation, dextrorphan and
304 levopropoxyphene excepted:
305 (a) Alfentanil;
306 (b) Alphaprodine;
307 (c) Anileridine;
308 (d) Bezitramide;
309 (e) Bulk dextropropoxyphene;
310 (f) Carfentanil;

- 311 (g) Dihydrocodeine;
- 312 (h) Diphenoxylate;
- 313 (i) Fentanyl;
- 314 (j) Isomethadone;
- 315 (k) Levo-alphaacetylmethadol;
- 316 (l) Levomethorphan;
- 317 (m) Levorphanol;
- 318 (n) Metazocine;
- 319 (o) Methadone;
- 320 (p) Meperidine;
- 321 (q) Methadone-Intermediate, 4-cyano-2-dimethylamino-4,
322 4-diphenylbutane;
- 323 (r) Moramide-Intermediate, 2-methyl-3-morpholino-1,
324 [1-diphenylpropane--carboxylic acid] **1-diphenylpropane-carboxylic acid**;
- 325 (s) Pethidine (meperidine);
- 326 (t) Pethidine-Intermediate-A, 4-cyano-1-methyl-4-phenylpiperidine;
- 327 (u) Pethidine-Intermediate-B, ethyl-4-phenylpiperidine-4-carboxylate;
- 328 (v) Pethidine-Intermediate-C, 1-methyl-4-phenylpiperidine-4-carboxylic
329 acid;
- 330 (w) Phenazocine;
- 331 (x) Piminodine;
- 332 (y) Racemethorphan;
- 333 (z) Racemorphan;
- 334 (aa) Remifentanyl;
- 335 (bb) Sufentanyl;
- 336 (cc) Tapentadol;
- 337 (3) Any material, compound, mixture, or preparation which contains any
338 quantity of the following substances having a stimulant effect on the central
339 nervous system:
- 340 (a) Amphetamine, its salts, optical isomers, and salts of its optical
341 isomers;
- 342 (b) Lisdexamfetamine, its salts, isomers, and salts of its isomers;
- 343 (c) Methamphetamine, its salts, isomers, and salts of its isomers;
- 344 (d) Phenmetrazine and its salts;
- 345 (e) Methylphenidate;
- 346 (4) Any material, compound, mixture, or preparation which contains any

347 quantity of the following substances having a depressant effect on the central
348 nervous system, including its salts, isomers, and salts of isomers whenever the
349 existence of those salts, isomers, and salts of isomers is possible within the
350 specific chemical designation:

- 351 (a) Amobarbital;
- 352 (b) Glutethimide;
- 353 (c) Pentobarbital;
- 354 (d) Phencyclidine;
- 355 (e) Secobarbital;
- 356 (5) Any material or compound which contains any quantity of nabilone;
- 357 (6) Any material, compound, mixture, or preparation which contains any
358 quantity of the following substances:

359 (a) Immediate precursor to amphetamine and methamphetamine:
360 Phenylacetone;

361 (b) Immediate precursors to phencyclidine (PCP):

- 362 a. 1-phenylcyclohexylamine;
- 363 b. 1-piperidinocyclohexanecarbonitrile (PCC);

364 (7) Any material, compound, mixture, or preparation which contains any
365 quantity of the following alkyl nitrites:

- 366 (a) Amyl nitrite;
- 367 (b) Butyl nitrite.

368 5. The department of health and senior services shall place a substance
369 in Schedule III if it finds that:

370 (1) The substance has a potential for abuse less than the substances listed
371 in Schedules I and II;

372 (2) The substance has currently accepted medical use in treatment in the
373 United States; and

374 (3) Abuse of the substance may lead to moderate or low physical
375 dependence or high psychological dependence.

376 6. The controlled substances listed in this subsection are included in
377 Schedule III:

378 (1) Any material, compound, mixture, or preparation which contains any
379 quantity of the following substances having a potential for abuse associated with
380 a stimulant effect on the central nervous system:

- 381 (a) Benzphetamine;
- 382 (b) Chlorphentermine;

383 (c) Clortermine;
384 (d) Phendimetrazine;
385 (2) Any material, compound, mixture or preparation which contains any
386 quantity or salt of the following substances or salts having a depressant effect on
387 the central nervous system:
388 (a) Any material, compound, mixture or preparation which contains any
389 quantity or salt of the following substances combined with one or more active
390 medicinal ingredients:
391 a. Amobarbital;
392 b. Secobarbital;
393 c. Pentobarbital;
394 (b) Any suppository dosage form containing any quantity or salt of the
395 following:
396 a. Amobarbital;
397 b. Secobarbital;
398 c. Pentobarbital;
399 (c) Any substance which contains any quantity of a derivative of
400 barbituric acid or its salt;
401 (d) Chlorhexadol;
402 (e) Embutramide;
403 (f) Gamma hydroxybutyric acid and its salts, isomers, and salts of isomers
404 contained in a drug product for which an application has been approved under
405 Section 505 of the federal Food, Drug, and Cosmetic Act;
406 (g) Ketamine, its salts, isomers, and salts of isomers;
407 (h) Lysergic acid;
408 (i) Lysergic acid amide;
409 (j) Methypylon;
410 (k) Sulfondiethylmethane;
411 (l) Sulfonethylmethane;
412 (m) Sulfonmethane;
413 (n) Tiletamine and zolazepam or any salt thereof;
414 (3) Nalorphine;
415 (4) Any material, compound, mixture, or preparation containing limited
416 quantities of any of the following narcotic drugs or their salts:
417 (a) Not more than 1.8 grams of codeine per one hundred milliliters or not
418 more than ninety milligrams per dosage unit, with an equal or greater quantity

419 of an isoquinoline alkaloid of opium;

420 (b) Not more than 1.8 grams of codeine per one hundred milliliters or not
421 more than ninety milligrams per dosage unit with one or more active, nonnarcotic
422 ingredients in recognized therapeutic amounts;

423 (c) Not more than three hundred milligrams of hydrocodone per one
424 hundred milliliters or not more than fifteen milligrams per dosage unit, with a
425 fourfold or greater quantity of an isoquinoline alkaloid of opium;

426 (d) Not more than three hundred milligrams of hydrocodone per one
427 hundred milliliters or not more than fifteen milligrams per dosage unit, with one
428 or more active nonnarcotic ingredients in recognized therapeutic amounts;

429 (e) Not more than 1.8 grams of dihydrocodeine per one hundred milliliters
430 or not more than ninety milligrams per dosage unit, with one or more active
431 nonnarcotic ingredients in recognized therapeutic amounts;

432 (f) Not more than three hundred milligrams of ethylmorphine per one
433 hundred milliliters or not more than fifteen milligrams per dosage unit, with one
434 or more active, nonnarcotic ingredients in recognized therapeutic amounts;

435 (g) Not more than five hundred milligrams of opium per one hundred
436 milliliters or per one hundred grams or not more than twenty-five milligrams per
437 dosage unit, with one or more active nonnarcotic ingredients in recognized
438 therapeutic amounts;

439 (h) Not more than fifty milligrams of morphine per one hundred milliliters
440 or per one hundred grams, with one or more active, nonnarcotic ingredients in
441 recognized therapeutic amounts;

442 (5) Any material, compound, mixture, or preparation containing any of the
443 following narcotic drugs or their salts, as set forth in subdivision (6) of this
444 subsection; buprenorphine;

445 (6) Anabolic steroids. Any drug or hormonal substance, chemically and
446 pharmacologically related to testosterone (other than estrogens, progestins,
447 corticosteroids, and dehydroepiandrosterone) that promotes muscle growth, except
448 an anabolic steroid which is expressly intended for administration through
449 implants to cattle or other nonhuman species and which has been approved by
450 the Secretary of Health and Human Services for that administration. If any
451 person prescribes, dispenses, or distributes such steroid for human use, such
452 person shall be considered to have prescribed, dispensed, or distributed an
453 anabolic steroid within the meaning of this subdivision. Unless specifically
454 excepted or unless listed in another schedule, any material, compound, mixture

455 or preparation containing any quantity of the following substances, including its
456 salts, esters and ethers:

- 457 (a) 3 β ,17-dihydroxy-5 α -androstane;
- 458 (b) 3 α ,17 β -dihydroxy-5 α -androstane;
- 459 (c) 5 α -androstan-3,17-dione;
- 460 (d) 1-androstenediol (3 β ,17 β -dihydroxy-5 α -androst-1-ene);
- 461 (e) 1-androstenediol (3 α ,17 β -dihydroxy-5 α -androst-1-ene);
- 462 (f) 4-androstenediol (3 β ,17 β -dihydroxy-androst-4-ene);
- 463 (g) 5-androstenediol (3 β ,17 β -dihydroxy-androst-5-ene);
- 464 (h) 1-androstenedione ([5 α]-androst-1-en-3,17-dione);
- 465 (i) 4-androstenedione (androst-4-en-3,17-dione);
- 466 (j) 5-androstenedione (androst-5-en-3,17-dione);
- 467 (k) Bolasterone (7 α , 17 α -dimethyl-17 β -hydroxyandrost-4-en-3-one);
- 468 (l) Boldenone (17 β -hydroxyandrost-1,4,-diene-3-one);
- 469 (m) Boldione;
- 470 (n) Calusterone (7 β , 17 α -dimethyl-17 β -hydroxyandrost-4-en-3-one);
- 471 (o) Clostebol (4-chloro-17 β -hydroxyandrost-4-en-3-one);
- 472 (p) Dehydrochloromethyltestosterone
473 (4-chloro-17 β -hydroxy-17 α -methyl-androst-1,4-dien-3-one);
- 474 (q) Desoxymethyltestosterone;
- 475 (r) Δ 1-dihydrotestosterone (a.k.a.
476 '1-testosterone')(17 β -hydroxy-5 α -androst-1-en-3-one);
- 477 (s) 4-dihydrotestosterone (17 β -hydroxy-androstan-3-one);
- 478 (t) Drostanolone (17 β -hydroxy-2 α -methyl-5 α -androstan-3-one);
- 479 (u) Ethylestrenol (17 α -ethyl-17 β -hydroxyestr-4-ene);
- 480 (v) Fluoxymesterone
481 (9-fluoro-17 α -methyl-11 β ,17 β -dihydroxyandrost-4-en-3-one);
- 482 (w) Formebolone
483 (2-formyl-17 α -methyl-11 α ,17 β -dihydroxyandrost-1,4-dien-3-one);
- 484 (x) Furazabol (17 α -methyl-17 β -hydroxyandrostando[2,3-c]-furazan);
- 485 (y) 13 β -ethyl-17 β -hydroxygon-4-en-3-one;
- 486 (z) 4-hydroxytestosterone (4,17 β -dihydroxy-androst-4-en-3-one);
- 487 (aa) 4-hydroxy-19-nortestosterone (4,17 β -dihydroxy-estr-4-en-3-one);
- 488 (bb) Mestanolone (17 α -methyl-17 β -hydroxy-5 α -androstan-3-one);
- 489 (cc) Mesterolone (1 α -methyl-17 β -hydroxy-[5 α]-androstan-3-one);
- 490 (dd) Methandienone (17 α -methyl-17 β -hydroxyandrost-1,4-dien-3-one);

- 491 (ee) Methandriol (17 α -methyl-3 β ,17 β -dihydroxyandrost-5-ene);
492 (ff) Methenolone (1-methyl-17 β -hydroxy-5 α -androst-1-en-3-one);
493 (gg) 17 α -methyl-3 β ,17 β -dihydroxy-5 α -androstane);
494 (hh) 17 α -methyl-3 α ,17 β -dihydroxy-5 α -androstane);
495 (ii) 17 α -methyl-3 β ,17 β -dihydroxyandrost-4-ene;
496 (jj) 17 α -methyl-4-hydroxynandrolone
497 (17 α -methyl-4-hydroxy-17 β -hydroxyestr-4-en-3-one);
498 (kk) Methyldienolone (17 α -methyl-17 β -hydroxyestra-4,9(10)-dien-3-one);
499 (ll) Methyltrienolone (17 α -methyl-17 β -hydroxyestra-4,9-11-trien-3-one);
500 (mm) Methyltestosterone (17 α -methyl-17 β -hydroxyandrost-4-en-3-one);
501 (nn) Mibolerone (7 α ,17 α -dimethyl-17 β -hydroxyestr-4-en-3-one);
502 (oo) 17 α -methyl- Δ 1-dihydrotestosterone
503 (17 β -hydroxy-17 α -methyl-5 α -androst-1-en-3-one) (a.k.a. '17 α -methyl-1-testosterone');
504 (pp) Nandrolone (17 β -hydroxyestr-4-ene-3-one);
505 (qq) 19-nor-4-androstenediol (3 β ,17 β -dihydroxyestr-4-ene);
506 (rr) 19-nor-4-androstenediol (3 α ,17 β -dihydroxyestr-4-ene);
507 (ss) 19-nor-4,9(10)-androstadienedione;
508 (tt) 19-nor-5-androstenediol (3 β ,17 β -dihydroxyestr-5-ene);
509 (uu) 19-nor-5-androstenediol (3 α ,17 β -dihydroxyestr-5-ene);
510 (vv) 19-nor-4-androstenedione (estr-4-en-3,17-dione);
511 (ww) 19-nor-5-androstenedione (estr-5-en-3,17-dione);
512 (xx) Norbolethone (13 β ,17 α -diethyl-17 β -hydroxygon-4-en-3-one);
513 (yy) Norclostebol (4-chloro-17 β -hydroxyestr-4-en-3-one);
514 (zz) Norethandrolone (17 α -ethyl-17 β -hydroxyestr-4-en-3-one);
515 (aaa) Normethandrolone (17 α -methyl-17 β -hydroxyestr-4-en-3-one);
516 (bbb) Oxandrolone (17 α -methyl-17 β -hydroxy-2-oxa-[5 α]-androstan-3-one);
517 (ccc) Oxymesterone (17 α -methyl-4,17 β -dihydroxyandrost-4-en-3-one);
518 (ddd) Oxymethalone
519 (17 α -methyl-2-hydroxymethylene-17 β -hydroxy-[5 α]-androstan-3-one);
520 (eee) Stanozolol
521 (17 α -methyl-17 β -hydroxy-[5 α]-androst-2-eno[3,2-c]-pyrazole);
522 (fff) Stenbolone (17 β -hydroxy-2-methyl-[5 α]-androst-1-en-3-one);
523 (ggg) Testolactone (13-hydroxy-3-oxo-13,17-secoandrosta-1,4-dien-17-oic
524 acid lactone);
525 (hhh) Testosterone (17 β -hydroxyandrost-4-en-3-one);
526 (iii) Tetrahydrogestrinone

527 (13 β ,17 α -diethyl-17 β -hydroxygon-4,9,11-trien-3-one);

528 (jjj) Trenbolone (17 β -hydroxyestr-4,9,11-trien-3-one);

529 (kkk) Any salt, ester, or ether of a drug or substance described or listed
530 in this subdivision, except an anabolic steroid which is expressly intended for
531 administration through implants to cattle or other nonhuman species and which
532 has been approved by the Secretary of Health and Human Services for that
533 administration;

534 (7) Dronabinol (synthetic) in sesame oil and encapsulated in a soft gelatin
535 capsule in a United States Food and Drug Administration approved drug product;

536 (8) The department of health and senior services may except by rule any
537 compound, mixture, or preparation containing any stimulant or depressant
538 substance listed in subdivisions (1) and (2) of this subsection from the application
539 of all or any part of sections 195.010 to 195.320 if the compound, mixture, or
540 preparation contains one or more active medicinal ingredients not having a
541 stimulant or depressant effect on the central nervous system, and if the
542 admixtures are included therein in combinations, quantity, proportion, or
543 concentration that vitiate the potential for abuse of the substances which have
544 a stimulant or depressant effect on the central nervous system.

545 7. The department of health and senior services shall place a substance
546 in Schedule IV if it finds that:

547 (1) The substance has a low potential for abuse relative to substances in
548 Schedule III;

549 (2) The substance has currently accepted medical use in treatment in the
550 United States; and

551 (3) Abuse of the substance may lead to limited physical dependence or
552 psychological dependence relative to the substances in Schedule III.

553 8. The controlled substances listed in this subsection are included in
554 Schedule IV:

555 (1) Any material, compound, mixture, or preparation containing any of the
556 following narcotic drugs or their salts calculated as the free anhydrous base or
557 alkaloid, in limited quantities as set forth below:

558 (a) Not more than one milligram of difenoxin and not less than twenty-five
559 micrograms of atropine sulfate per dosage unit;

560 (b) Dextropropoxyphene (alpha-(+)-4-dimethylamino-1,
561 2-diphenyl-3-methyl-2-propionoxybutane);

562 (c) Any of the following limited quantities of narcotic drugs or their salts,

563 which shall include one or more nonnarcotic active medicinal ingredients in
564 sufficient proportion to confer upon the compound, mixture or preparation
565 valuable medicinal qualities other than those possessed by the narcotic drug
566 alone:

567 a. Not more than two hundred milligrams of codeine per one hundred
568 milliliters or per one hundred grams;

569 b. Not more than one hundred milligrams of dihydrocodeine per one
570 hundred milliliters or per one hundred grams;

571 c. Not more than one hundred milligrams of ethylmorphine per one
572 hundred milliliters or per one hundred grams;

573 (2) Any material, compound, mixture or preparation containing any
574 quantity of the following substances, including their salts, isomers, and salts of
575 isomers whenever the existence of those salts, isomers, and salts of isomers is
576 possible within the specific chemical designation:

577 (a) Alprazolam;

578 (b) Barbitol;

579 (c) Bromazepam;

580 (d) Camazepam;

581 (e) Chloral betaine;

582 (f) Chloral hydrate;

583 (g) Chlordiazepoxide;

584 (h) Clobazam;

585 (i) Clonazepam;

586 (j) Clorazepate;

587 (k) Clotiazepam;

588 (l) Cloxazolam;

589 (m) Delorazepam;

590 (n) Diazepam;

591 (o) Dichloralphenazone;

592 (p) Estazolam;

593 (q) Ethchlorvynol;

594 (r) Ethinamate;

595 (s) Ethyl loflazepate;

596 (t) Fludiazepam;

597 (u) Flunitrazepam;

598 (v) Flurazepam;

- 599 (w) Fospropofol;
600 (x) Halazepam;
601 (y) Haloxazolam;
602 (z) Ketazolam;
603 (aa) Loprazolam;
604 (bb) Lorazepam;
605 (cc) Lormetazepam;
606 (dd) Mebutamate;
607 (ee) Medazepam;
608 (ff) Meprobamate;
609 (gg) Methohexital;
610 (hh) Methylphenobarbital (mephobarbital);
611 (ii) Midazolam;
612 (jj) Nimetazepam;
613 (kk) Nitrazepam;
614 (ll) Nordiazepam;
615 (mm) Oxazepam;
616 (nn) Oxazolam;
617 (oo) Paraldehyde;
618 (pp) Petrichloral;
619 (qq) Phenobarbital;
620 (rr) Pinazepam;
621 (ss) Prazepam;
622 (tt) Quazepam;
623 (uu) Temazepam;
624 (vv) Tetrazepam;
625 (ww) Triazolam;
626 (xx) Zaleplon;
627 (yy) Zolpidem;
628 (zz) Zopiclone;

629 (3) Any material, compound, mixture, or preparation which contains any
630 quantity of the following substance including its salts, isomers and salts of
631 isomers whenever the existence of such salts, isomers and salts of isomers is
632 possible: fenfluramine;

633 (4) Any material, compound, mixture or preparation containing any
634 quantity of the following substances having a stimulant effect on the central

635 nervous system, including their salts, isomers and salts of isomers:

- 636 (a) Cathine ((+)-norpseudoephedrine);
- 637 (b) Diethylpropion;
- 638 (c) Fencamfamin;
- 639 (d) Fenproporex;
- 640 (e) Mazindol;
- 641 (f) Mefenorex;
- 642 (g) Modafinil;
- 643 (h) Pemoline, including organometallic complexes and chelates thereof;
- 644 (i) Phentermine;
- 645 (j) Pipradrol;
- 646 (k) Sibutramine;
- 647 (l) SPA ((-)-1-dimethylamino-1,2-diphenylethane);

648 (5) Any material, compound, mixture or preparation containing any
649 quantity of the following substance, including its salts:

- 650 (a) butorphanol;
- 651 (b) pentazocine;
- 652 (6) Ephedrine, its salts, optical isomers and salts of optical isomers, when
653 the substance is the only active medicinal ingredient;
- 654 (7) The department of health and senior services may except by rule any
655 compound, mixture, or preparation containing any depressant substance listed in
656 subdivision (1) of this subsection from the application of all or any part of sections
657 195.010 to 195.320 if the compound, mixture, or preparation contains one or more
658 active medicinal ingredients not having a depressant effect on the central nervous
659 system, and if the admixtures are included therein in combinations, quantity,
660 proportion, or concentration that vitiate the potential for abuse of the substances
661 which have a depressant effect on the central nervous system.

662 9. The department of health and senior services shall place a substance
663 in Schedule V if it finds that:

- 664 (1) The substance has low potential for abuse relative to the controlled
665 substances listed in Schedule IV;
- 666 (2) The substance has currently accepted medical use in treatment in the
667 United States; and
- 668 (3) The substance has limited physical dependence or psychological
669 dependence liability relative to the controlled substances listed in Schedule IV.

670 10. The controlled substances listed in this subsection are included in

671 Schedule V:

672 (1) Any compound, mixture or preparation containing any of the following
673 narcotic drugs or their salts calculated as the free anhydrous base or alkaloid, in
674 limited quantities as set forth below, which also contains one or more nonnarcotic
675 active medicinal ingredients in sufficient proportion to confer upon the compound,
676 mixture or preparation valuable medicinal qualities other than those possessed
677 by the narcotic drug alone:

678 (a) Not more than two and five-tenths milligrams of diphenoxylate and not
679 less than twenty-five micrograms of atropine sulfate per dosage unit;

680 (b) Not more than one hundred milligrams of opium per one hundred
681 milliliters or per one hundred grams;

682 (c) Not more than five-tenths milligram of difenoxin and not less than
683 twenty-five micrograms of atropine sulfate per dosage unit;

684 (2) Any material, compound, mixture or preparation which contains any
685 quantity of the following substance having a stimulant effect on the central
686 nervous system including its salts, isomers and salts of isomers: pyrovalerone;

687 (3) Any compound, mixture, or preparation containing any detectable
688 quantity of pseudoephedrine or its salts or optical isomers, or salts of optical
689 isomers or any compound, mixture, or preparation containing any detectable
690 quantity of ephedrine or its salts or optical isomers, or salts of optical isomers;

691 (4) Unless specifically exempted or excluded or unless listed in another
692 schedule, any material, compound, mixture, or preparation which contains any
693 quantity of the following substances having a depressant effect on the central
694 nervous system, including its salts:

695 (a) Lacosamide;

696 (b) Pregabalin.

697 11. If any compound, mixture, or preparation as specified in subdivision
698 (3) of subsection 10 of this section is dispensed, sold, or distributed in a pharmacy
699 without a prescription:

700 (1) All packages of any compound, mixture, or preparation containing any
701 detectable quantity of pseudoephedrine, its salts or optical isomers, or salts of
702 optical isomers or ephedrine, its salts or optical isomers, or salts of optical
703 isomers, shall be offered for sale only from behind a pharmacy counter where the
704 public is not permitted, and only by a registered pharmacist or registered
705 pharmacy technician; and

706 (2) Any person purchasing, receiving or otherwise acquiring any

707 compound, mixture, or preparation containing any detectable quantity of
708 pseudoephedrine, its salts or optical isomers, or salts of optical isomers or
709 ephedrine, its salts or optical isomers, or salts of optical isomers shall be at least
710 eighteen years of age; and

711 (3) The pharmacist, intern pharmacist, or registered pharmacy technician
712 shall require any person, prior to their purchasing, receiving or otherwise
713 acquiring such compound, mixture, or preparation to furnish suitable photo
714 identification that is issued by a state or the federal government or a document
715 that, with respect to identification, is considered acceptable and showing the date
716 of birth of the person;

717 (4) The seller shall deliver the product directly into the custody of the
718 purchaser.

719 12. Pharmacists, intern pharmacists, and registered pharmacy technicians
720 shall implement and maintain an electronic log of each transaction. Such log
721 shall include the following information:

722 (1) The name, address, and signature of the purchaser;

723 (2) The amount of the compound, mixture, or preparation purchased;

724 (3) The date and time of each purchase; and

725 (4) The name or initials of the pharmacist, intern pharmacist, or
726 registered pharmacy technician who dispensed the compound, mixture, or
727 preparation to the purchaser.

728 13. Each pharmacy shall submit information regarding sales of any
729 compound, mixture, or preparation as specified in subdivision (3) of subsection 10
730 of this section in accordance with transmission methods and frequency
731 established by the department by regulation.

732 14. No person shall dispense, sell, purchase, receive, or otherwise acquire
733 quantities greater than those specified in this chapter.

734 15. All persons who dispense or offer for sale pseudoephedrine and
735 ephedrine products in a pharmacy shall ensure that all such products are located
736 only behind a pharmacy counter where the public is not permitted.

737 16. Any person who knowingly or recklessly violates the provisions of
738 subsections 11 to 15 of this section is guilty of a class A misdemeanor.

739 17. The scheduling of substances specified in subdivision (3) of subsection
740 10 of this section and subsections 11, 12, 14, and 15 of this section shall not apply
741 to any compounds, mixtures, or preparations that are in liquid or liquid-filled gel
742 capsule form or to any compound, mixture, or preparation specified in subdivision

743 (3) of subsection 10 of this section which must be dispensed, sold, or distributed
744 in a pharmacy pursuant to a prescription.

745 18. The manufacturer of a drug product or another interested party may
746 apply with the department of health and senior services for an exemption from
747 this section. The department of health and senior services may grant an
748 exemption by rule from this section if the department finds the drug product is
749 not used in the illegal manufacture of methamphetamine or other controlled or
750 dangerous substances. The department of health and senior services shall rely
751 on reports from law enforcement and law enforcement evidentiary laboratories in
752 determining if the proposed product can be used to manufacture illicit controlled
753 substances.

754 19. The department of health and senior services shall revise and
755 republish the schedules annually.

756 20. The department of health and senior services shall promulgate rules
757 under chapter 536 regarding the security and storage of Schedule V controlled
758 substances, as described in subdivision (3) of subsection 10 of this section, for
759 distributors as registered by the department of health and senior services.

760 21. Logs of transactions required to be kept and maintained by this
761 section and section 195.417 shall create a rebuttable presumption that the person
762 whose name appears in the logs is the person whose transactions are recorded in
763 the logs.

195.203. Notwithstanding any other provision of this chapter or
2 chapter 579 to the contrary, it shall be legal for any person who has a
3 valid industrial hemp license as provided under sections 195.600 to
4 195.606 to grow, harvest, and cultivate industrial hemp as defined in
5 section 195.010 in accordance with the requirements of sections 195.600
6 to 195.606.

195.600. For the purposes of sections 195.600 to 195.606, the
2 following terms shall mean:

3 (1) "Agricultural hemp seed", *Cannabis sativa* L. seed that meets
4 any labeling, quality, or other standards set by the department of
5 agriculture and that is intended for sale, is sold to, or is purchased by
6 licensed growers for planting;

7 (2) "Crop", any field of industrial hemp grown under a single
8 license;

9 (3) "Department", the Missouri department of agriculture;

10 (4) "Grain", seed used to make an industrial hemp commodity or
11 product;

12 (5) "Grower", a person, joint venture, or cooperative that
13 produces industrial hemp;

14 (6) "Handler", a person, joint venture, or cooperative that
15 receives industrial hemp for processing into commodities, products, or
16 agricultural hemp seed;

17 (7) "Industrial hemp", the same as such term is defined in section
18 195.010;

19 (8) "Industrial hemp plant monitoring system", an electronic
20 seed-to-sale tracking system that includes, but is not limited to, testing
21 and data collection established and maintained by a grower or handler
22 and available to the department for purposes of documenting and for
23 monitoring agricultural hemp seed and industrial hemp plant
24 development throughout the life cycle of an industrial hemp plant
25 cultivated as an agricultural product from seed planting to final
26 packaging.

 195.603. 1. There is hereby created an industrial hemp
2 agricultural pilot program to be implemented by the
3 department. Industrial hemp production, possession, and commerce in
4 industrial hemp commodities and products shall be permitted in this
5 state under sections 195.600 to 195.606.

6 2. Industrial hemp shall be an agricultural product that is
7 subject to regulation by the department of agriculture, including
8 compliance with an industrial hemp plant monitoring system. Any
9 grower and handler of industrial hemp shall obtain a license from the
10 department. Growers and handlers engaged in the production of
11 agricultural hemp seed also shall have an agricultural hemp seed
12 production permit.

13 3. An application for an industrial hemp license or agricultural
14 hemp seed production permit shall include:

15 (1) The name and address of the applicant;

16 (2) The name and address of the industrial hemp operation of the
17 applicant;

18 (3) The global positioning system coordinates and legal
19 description for the property used for the industrial hemp;

20 (4) If the industrial hemp license or agricultural hemp seed

21 production permit application is by the grower, information sufficient
22 to establish that the industrial hemp crop of the applicant will be at
23 least two and one-half acres in size; and

24 (5) The application fee, as determined by the department, in an
25 amount sufficient to cover the administrative costs of processing
26 license and permit applications; and

27 (6) Any other information required by the department.

28 4. The department shall issue a license or permit under this
29 section to an applicant who meets the requirements of sections 195.600
30 to 195.606 and upon satisfactory completion of a fingerprint criminal
31 history background check. The department may charge applicants a
32 fee for the cost of the fingerprint criminal history background check.
33 A license or permit shall not be issued to a person who has been found
34 guilty of a felony offense in the ten years immediately preceding the
35 application date or a person who at any time has been found guilty of
36 a felony offense under any state or federal law regarding the
37 possession, distribution, manufacturing, cultivation, or use of a
38 controlled substance.

39 5. Upon issuance of a license or permit, information regarding
40 all license and permit holders shall be forwarded to the state highway
41 patrol.

42 6. An industrial hemp license or agricultural hemp seed
43 production permit is:

44 (1) Nontransferable; except that, such license or permit may be
45 transferred to a spouse or child, who otherwise meets the requirements
46 of a licensee or permittee, and the spouse or child may operate under
47 the existing license or permit until the registration expires, at which
48 time the renewal shall reflect the change in licensee;

49 (2) Valid for a three-year term unless revoked by the department;
50 and

51 (3) May be renewed as determined by the department.

52 7. An agricultural hemp seed production permit authorizes a
53 grower or handler to produce and handle agricultural hemp seed for
54 sale to licensed industrial hemp growers and handlers. The department
55 shall make information that identifies sellers of agricultural hemp seed
56 available to growers, and any seller of agricultural hemp seed shall
57 ensure that the seed complies with any standards established by the

58 department.

59 8. A grower may retain seed from each industrial hemp crop to
60 ensure a sufficient supply of seed for that grower for the following
61 year. A grower shall not be required to obtain an agricultural hemp
62 seed production permit in order to retain seed for future planting. Any
63 seed retained by a grower for future planting shall not be sold or
64 transferred and does not have to meet agricultural hemp seed
65 standards established by the department.

66 9. Every grower or handler shall be subject to an industrial hemp
67 plant monitoring system and shall keep industrial hemp crop and
68 agricultural hemp seed records as required by the department. Upon
69 three days' notice, the department may require an inspection or audit
70 during any normal business hours for the purpose of ensuring
71 compliance with:

72 (1) Any provision of this chapter;

73 (2) Department rules and regulations;

74 (3) Industrial hemp license or agricultural hemp seed production
75 permit requirements, terms, or conditions;

76 (4) Any industrial hemp plant monitoring system; or

77 (5) A final department order directed to the grower's or handler's
78 industrial hemp operations or activities.

79 10. In addition to any inspection conducted under subsection 9
80 of this section, the department may inspect any industrial hemp crop
81 during the crop's growth phase and take a representative composite
82 sample for field analysis. If a crop contains an average
83 tetrahydrocannabinol concentration exceeding three-tenths of one
84 percent on a dry weight basis, the department may detain, seize, or
85 embargo the crop.

86 11. The department may charge growers and handlers reasonable
87 fees as determined by the department for the purpose of carrying out
88 the duties of the department under sections 195.600 to 195.606. All fees
89 collected under sections 195.600 to 195.606 shall be deposited in a
90 dedicated fund for use by the department to carry out the duties of the
91 department under sections 195.600 to 195.606.

92 12. The department shall promulgate rules necessary to
93 administer the provisions of sections 195.600 to 195.606. Any rule or
94 portion of a rule, as that term is defined in section 536.010, that is

95 created under the authority delegated in this section shall become
96 effective only if it complies with and is subject to all of the provisions
97 of chapter 536 and, if applicable, section 536.028. Sections 195.600 to
98 195.606 and chapter 536 are nonseverable, and if any of the powers
99 vested with the general assembly under chapter 536 to review, to delay
100 the effective date, or to disapprove and annul a rule are subsequently
101 held unconstitutional, then the grant of rulemaking authority and any
102 rule proposed or adopted after August 28, 2015, shall be invalid and
103 void.

195.606. 1. The department may revoke or refuse to issue or
2 renew an industrial hemp license or agricultural hemp seed production
3 permit and may impose a civil penalty of not less than two thousand
4 five hundred dollars or more than fifty thousand dollars for violation
5 of:

- 6 (1) A license or permit requirement, term, or condition;
- 7 (2) Department rules relating to growing or handling industrial
8 hemp;
- 9 (3) Any industrial hemp plant monitoring system; or
- 10 (4) A final order of the department that is specifically directed
11 to the grower's or handler's industrial hemp operations or activities.

12 2. In addition, the department may revoke or refuse to issue or
13 renew an industrial hemp license or an agricultural hemp seed
14 production permit for failing to comply with any provision of this
15 chapter or for a violation of any rule of the department that pertains
16 to agricultural operations or activities other than industrial hemp
17 growing or handling.

195.609. 1. Any person growing industrial hemp who does not
2 have a valid industrial hemp license issued under sections 195.600 to
3 195.606 shall be subject to an administrative fine of five hundred
4 dollars and shall obtain a valid license to grow industrial hemp within
5 thirty days.

6 2. If during the thirty-day period described in subsection 1 of
7 this section such person applies for and receives an industrial hemp
8 license, the amount of the fine imposed under subsection 1 of this
9 section shall be refunded in full.

10 3. If during the thirty-day period described in subsection 1 of
11 this section such person fails to obtain an industrial hemp license, the

12 **person shall be fined one thousand dollars per day until such person**
13 **obtains a license to grow industrial hemp or the person's industrial**
14 **hemp crop is destroyed.**

✓

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